

3123. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., favoring the enactment of the Capper-Hersman bill; to the Committee on Agriculture.

3124. By Mr. EMERSON: Petition of transportation committee of the Cleveland Chamber of Commerce, in relation to the coal situation and car shortage; to the Committee on Interstate and Foreign Commerce.

3125. By Mr. FULLER of Illinois: Petition of Local Union No. 303, United Mine Workers of America, Orient, Ill., favoring amnesty for political prisoners and the repeal of the espionage law; to the Committee on the Judiciary.

3126. Also, petition of the Chicago Carton Co., favoring the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

3127. Also, petition of the Women's Auxilliary of Walter Craig Post, American Legion, Rockford, Ill., relative to the bonus for the ex-service men and women of the World War; to the Committee on Ways and Means.

3128. Also, petition of the Business Men's Association of Peru, Ill., regarding the unsatisfactory postal service, etc.; to the Committee on the Post Office and Post Roads.

3129. Also, petition of the United Indian War Veterans, for increase of pension; to the Committee on Pensions.

3130. By Mr. GALLIVAN: Petition of Roger Casement Branch, Friends of Irish Freedom, of Boston, Mass., favoring the freedom of Ireland; to the Committee on Foreign Affairs.

3131. Also, petition of Howes Bros. Co. and Purity Oats Co., of Boston, Mass., regarding taxation; to the Committee on Ways and Means.

3132. Also, petition of Women's Educational and Industrial Union of Boston, Mass., regarding legislation for State censorship of motion pictures; to the Committee on Ways and Means.

3133. Also, petition of American Legion, Ludlow Post, No. 52, of Ludlow, Mass., and 10 other citizens of Boston, Mass., favoring cash bonus for soldiers; to the Committee on Ways and Means.

3134. Also, petition of Federal Employees' Local, of Boston, Mass., favoring retirement for civil-service employees; to the Committee on Reform in the Civil Service.

3135. Also, petition of F. L. & J. C. Codman Co., Joseph E. Sager, George Mortimer & Co. (Inc.), opposing the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3136. By Mr. HILL: Petition of the city Council of Spokane, Wash., for the enactment of House bill 10518, to create a Federal urban mortgage bank; to the Committee on Banking and Currency.

3137. By Mr. JOHNSTON of New York: Petition of Wooden Box Manufacturers' Association of New York, favoring a revision of the antitrust laws; to the Committee on the Judiciary.

3138. By Mr. KELLEY of Michigan: Petition of Mrs. J. G. Rulison and 70 other residents of Lansing, Mich., in favor of legislation to provide maternity and infant-welfare aid; to the Committee on Interstate and Foreign Commerce.

3139. By Mr. LINTHICUM: Petition of Emory L. Stinchcomb, Baltimore, Md., relative to the claims against the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

3140. Also, petition of Hynson, Westcott & Dunning, Baltimore, Md., relative to House bill 12976; to the Committee on Ways and Means.

3141. Also, petition of Morgan Millwork Co., Baltimore, Md., protesting against House bill 12379, also House bill 12646; to the Committee on Banking and Currency.

3142. Also, petition of Baltimore Chapter of the Southern Association of College Women, favoring legislation creating a Federal department of education; to the Committee on Education.

3143. Also, petition of Charles D. Jones, L. W. Passano, Mont-faucon Post, American Legion, and Burton H. Erdman, all of Baltimore, Md., favoring enactment of legislation granting a bonus to ex-service men; to the Committee on Ways and Means.

3144. Also, petition of J. Arthur Nelson, Baltimore, Md., relative to the repeal of certain sections in the revenue act of 1918; to the Committee on Ways and Means.

3145. Also, petition of the Maryland League for National Defense, Baltimore, Md., urging universal military training, etc.; to the Committee on Military Affairs.

3146. By Mr. MERRITT: Petition of executive committee of the Connecticut Bankers' Association, opposing the passage of the Steagall bill, H. R. 12379; to the Committee on Banking and Currency.

3147. By Mr. O'CONNELL: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3148. By Mr. RAKER: Petition of Fred S. Bebergall, department adjutant, American Legion, San Francisco, Calif., urging the passage of House bill 13293; also House bill 13291; to the Committee on Interstate and Foreign Commerce.

3149. Also, petition of Trinity Post, No. 163, Weaverville, Calif., urging the support of the bill giving bonus to the ex-service men of the World War; to the Committee on Ways and Means.

3150. Also, petition of Gray Silver, Charles A. Lyman, and T. C. Atkeson, of Washington, D. C., urging the support of the Capper-Hersman bill; to the Committee on Agriculture.

3151. By Mr. ROWAN: Petition of Navy Legal Aid Association of New York, favoring immediate action by the House on the Wadsworth bill; to the Committee on Military Affairs.

3152. By Mr. SINCLAIR: Petition of the Playground Club of Kenmare, N. Dak., indorsing the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, April 22, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to our task to-day with thought of the splendid achievements of our fathers, who with brave hearts and unconquerable spirit and devotion to the high principles of justice and reverence toward Thy name laid strong and well the foundations of our national life. We pray that we may, emulating their example, follow on to accomplish that which they so well began. Give us Thy blessing to-day to this end. We ask for Christ's sake. Amen.

The Assistant Secretary proceeded to read the Journal of the proceedings of yesterday, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12460. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union;

H. R. 12824. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union;

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916; and

H. R. 13227. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. ANTHONY, Mr. MCKENZIE, Mr. DENT, and Mr. FIELDS managers at the conference on the part of the House.

The message further announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 53 to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, further insists upon its disagreement to the amendment of the Senate numbered 53 to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON managers at the further conference on the part of the House.

The message also announced that the Speaker of the House had signed the following enrolled bills:

S. 806. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Iowa Tribe of Indians against the United States; and

S. 2442. An act authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church, by patent in fee, certain land within the Yankton Indian Reservation.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented a petition of sundry citizens of New Haven and Danbury, in the State of Connecticut, praying for the enactment of legislation to incorporate the International Association of Rotary Clubs, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Connecticut Bankers' Association, of Hartford, Conn., remonstrating against the enactment of legislation permitting banks to make an exchange charge of 10 cents per \$100 or fraction on checks drawn on themselves presented through the Federal reserve banks, which was referred to the Committee on Banking and Currency.

He also presented a petition of the United Irish Societies of Bridgeport, Conn., and a petition of the Ancient Order of Hibernians of America, of Willimantic, Conn., praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 123, American Flint Glass Workers, of Waterbury, Conn., praying for the protection of the glass industry, which was referred to the Committee on Finance.

He also presented a petition of Allan M. Osborn Camp, No. 1, United Spanish War Veterans, of New Haven, Conn., praying for the enactment of legislation granting pensions to Spanish War Veterans, which was ordered to lie on the table.

He also presented a petition of Mather Post, No. 25, Grand Army of the Republic, Department of Connecticut, of Deep River, Conn., praying for the enactment of legislation granting pensions to soldiers of the Civil War and their widows, which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Hartford, Conn., remonstrating against any change in the present standards of weights and measures, which was referred to the Committee on Standards, Weights, and Measures.

He also presented a petition of the Chamber of Commerce of East Hartford, Conn., and a petition of the Employers' Association of Hartford County, Conn., praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented petitions of the Kiwanis Club, the Business Men's Association, the Chamber of Commerce, and the Bridgeport Screw Co., all of Bridgeport; of the Chamber of Commerce of Middletown; and of sundry employees of the D. M. Reed Co., of Bridgeport, all in the State of Connecticut, praying for the enactment of a daylight-saving law, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Fairfield County Farm Bureau, of Danbury, Conn., remonstrating against the enactment of a daylight-saving law, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Connecticut State Retail Jewelers' Association, praying for the repeal of the excise tax on jewelry, which was referred to the Committee on Finance.

He also presented a petition of Excelsior Lodge, International Association of Machinists, of Derby, Conn., praying for the repeal of the espionage law, which was referred to the Committee on the Judiciary.

He also presented petitions of Newton S. Manross Post, No. 57, Grand Army of the Republic, Department of Connecticut, of Forrestville; of Nathaniel Lyon Post, No. 2, Grand Army of the Republic, Department of Connecticut, of Hartford; and of Robert O. Tyler Post, No. 50, Grand Army of the Republic, Department of Connecticut, of Hartford, all in the State of Connecticut, praying for the enactment of legislation granting pensions to Civil War veterans and their widows, which were ordered to lie on the table.

He also presented memorials of the Foreign Legions of New Haven, Hartford, Derby, Meriden, and Madison, all in the State of Connecticut, remonstrating against the granting of a bonus to ex-service men with the exception of those who are disabled and the dependents of soldiers killed in the war with Germany, which were referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 13677) making appropriations to supply a deficiency in the appropriations for the Federal control of transportation systems and to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1920, and for other purposes. I

give notice that I shall take an early opportunity to call up the bill for consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

DUTIES ON IMPORTS.

Mr. THOMAS. I present the views of the minority—Report No. 510, part 2—on the bill (H. R. 10918) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes. The report bears the signature of the Senator from Idaho [Mr. NUGENT] and myself, and I ask that it be received and printed.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEE ON INDIAN AFFAIRS.

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 1521) authorizing the Cowlitz Tribe of Indians residing in the State of Washington to submit claims to the Court of Claims (Rept. No. 532); and

A bill (S. 3716) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, S. Dak. (Rept. No. 533).

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3164) authorizing the Northern Arapahoe Tribe and the Northern Cheyenne Tribe of Indians to submit claims to the Court of Claims (Rept. No. 534);

A bill (S. 3307) authorizing the Ottawa and Chippewa Tribes of Indians of Michigan to submit claims to the Court of Claims (Rept. No. 535);

A bill (S. 4046) to cancel an allotment made to Mary Crane, deceased, embracing lands on the Winnebago Reservation in Nebraska (Rept. No. 536);

A bill (S. 4047) authorizing and directing the Secretary of the Interior to make an allotment to Pessa, a member of the Comanche Tribe of Indians in Oklahoma (Rept. No. 537);

A bill (H. R. 9615) authorizing the Secretary of the Interior to correct an error in an Indian allotment (Rept. No. 538); and

A bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak. (Rept. No. 539).

Mr. CURTIS, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (S. 192) authorizing the Crow Tribe of Indians, residing in the State of Montana, to submit claims to the Court of Claims (Rept. No. 540);

A bill (S. 804) authorizing the Ponca Tribe of Indians, residing in the States of Oklahoma and Nebraska, to submit claims to the Court of Claims (Rept. No. 541);

A bill (S. 1023) for the relief of certain nations or tribes of Indians in Montana (Rept. No. 542);

A bill (S. 2298) for the relief of the Flathead Nation of Indians (Rept. No. 543); and

A bill (S. 2800) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians, in the State of Oregon, to submit claims to the Court of Claims (Rept. No. 544).

ACTIVITIES OF FOURTH ASSISTANT POSTMASTER GENERAL.

Mr. KING. If I may have the attention of the Senator from Michigan [Mr. TOWNSEND] I should like to inquire whether he has reported from the Committee on Post Offices and Post Roads the resolution to which he called my attention yesterday?

Mr. TOWNSEND. I am obliged to the Senator for referring to the matter. I ask the privilege of making that report now. From the Committee on Post Offices and Post Roads, to which was referred the resolution (S. Res. 309) directing the Postmaster General to furnish information in regard to alleged circularization of agriculturists in the United States, I report it without amendment.

Mr. KING. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there any objection?

Mr. JONES of Washington. I ask that the resolution may be read.

The resolution (S. Res. 309) was read, as follows:

Whereas it has been reported that the Fourth Assistant Postmaster General has circularized hundreds of thousands of agriculturists in the United States, and submitted questionnaires to them relating to divers subjects: Therefore be it

Resolved, That the Postmaster General be, and he is hereby, directed to inform the Senate what authority said Fourth Assistant Postmaster General had for his said action and what appropriation had theretofore been made to cover the expenses of such proceedings upon his part.

Mr. KING. Mr. President, just a word in explanation of this resolution. Complaints were made to me that the Fourth Assistant Postmaster-General had sent out tens of thousands of circulars and questionnaires to the farmers of the United States. The statement was made that he was seeking to get information to enable him to engage in an experiment which I conceive to be outside of the domain or purview of the Post Office Department. My information is that there was no authority for his action, and no appropriation from which he could draw to carry on the circularization program upon which he had entered. If the information sought was desirable, then the Agricultural Department should have obtained it. There is a disposition upon the part of too many officials to indulge in fads and experiments, and to undertake matters not authorized by law. There should be a stop to this course. Executive officials are to execute the laws, not to make the laws. I desire to find out what authority the Post Office Department had to engage in the work referred to in the resolution. Let me say frankly it is my purpose to curb wherever possible the unauthorized activities of executive agencies. Many of the agencies and employees of the Government want to extend their authority and jurisdiction, and they use funds of the Government for improper purposes, and seek for information that they are not entitled to obtain or assume undertakings not authorized or desired.

Mr. DIAL. Mr. President, I will state to the Senator that I can furnish him with the information he desires. I have it in my office.

Mr. KING. Does the Senator object to my getting it from the department?

Mr. DIAL. I would request the Senator to let the resolution go over for the present, as I desire to secure further information.

Mr. KING. I want the information to come from the official himself, and I should like it to come to the Senate directly, and not indirectly from the Senator from South Carolina.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. DIAL. I object to the consideration of the resolution at this time.

The VICE PRESIDENT. Objection is made. The resolution will go over.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 4273) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stat., 866); to the Committee on the Judiciary.

By Mr. HENDERSON:

A bill (S. 4274) to provide for the acquisition of a site and the erection thereon of a Federal building at Ely, Nev.; to the Committee on Public Buildings and Grounds.

A bill (S. 4275) to protect certain wild animals in Humboldt National Forest, in Nevada; to the Committee on Forest Reservations and the Protection of Game.

By Mr. GRONNA (for Mr. LA FOLLETTE):

A bill (S. 4276) for the relief of Poul Albert Jensen; to the Committee on Naval Affairs.

By Mr. LENROOT:

A bill (S. 4277) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRELINGHUYSEN (by request):

A bill (S. 4278) to further amend the interstate-commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. KING:

A bill (S. 4279) to regulate grazing conditions on national forests; to the Committee on Public Lands.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Banking and Currency:

H. R. 12460. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union;

H. R. 12824. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union; and

H. R. 13227. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims.

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, was read twice by its title and referred to the Committee on the Judiciary.

FREDERIC J. HASKIN—GOVERNMENT PUBLICATIONS.

Mr. SMOOT. Mr. President, on Friday, April 2, 1920, I made a statement in relation to the distribution of certain public documents and referred to Mr. Frederic J. Haskin. Mr. Haskin, in order that the Senate and the country may know the character of his business, would like me to read a letter I received from him in explanation. The letter is dated April 9, 1920, and reads as follows:

APRIL 9, 1920.

My attention has been called to your remarks on the floor of the Senate concerning the conduct of my business and the charge that it leads to a waste of Government literature.

I feel that you would not have made this criticism if you had possessed a more complete understanding of my operations, and I wish to offer a statement explaining them.

In addition to my work as a correspondent, I am the director of an information bureau, which is supported by over 100 representative newspapers for the free use of the public.

The service I render as a free agent is quite varied. I make investigations for editors, answer questions to subscribers, and arrange for the free distribution of educational literature, a great deal of which is not governmental.

My use of Government bulletins is usually under some such conditions as the following: There may be an epidemic of influenza, and it may be obviously advisable that the latest bulletin of the Public Health Service be widely distributed. There may be a coal strike which threatens to freeze the country and a consequent necessity of getting to the people a bulletin such as the Bureau of Mines publishes on the economic use of fuel. The garden season may be opening, and it may be evident that vegetables are going to be scarce, necessitating a wide distribution of the garden bulletin issued by the Department of Agriculture.

In the case of any of these emergencies, or any similar one, I volunteer the services of my agency to help reach the public quickly. If a bulletin exists giving the necessary facts, I may offer to distribute it, or the governmental agency having it may ask me to distribute it.

You were in error when you informed the Senate that the advertising was done in my name, and that I offered for a 2-cent stamp to send any public document the reader might ask for. The advertising is done by the newspaper in its own name and at its own expense. Each advertisement refers only to the particular offering named therein. I never advertise any bulletin unless the supply is previously arranged for. The 2 cents is used to pay the return postage. If the inquirer sends too much postage, the excess is returned to him.

In this connection I will read what I stated:

Mr. Frederic J. Haskin, located on U Street, I think, is a newspaper correspondent and a representative of—I can not state how many papers in the United States. I suppose Senators have received a copy of their home paper and in the paper noticed inserted an advertisement of Mr. Frederic J. Haskin, in which it is stated that if the reader will clip the advertisement out of the paper and attach to it a 2-cent stamp and send it to Mr. Frederic J. Haskin he will send in return any public document that the sender may ask for.

I ask that this advertisement, taken from the paper just as it appeared, be printed in the RECORD to show who does the advertising and how.

The advertisement is as follows:

GARDEN BOOK FREE.

"I like to see 'em grow!"

That's what a man said when a friend asked him why he put in an hour every afternoon grubbing away in his back yard with a hoe. The man might also have truthfully replied that his garden gave him better vegetables for less money, and that chopping up the face of the earth with a hoe saves doctor's bills.

Grow a garden. Follow the directions in the official illustrated Garden Book, published by the United States Department of Agriculture. You can get this by writing the Detroit Journal Information Bureau, at Washington. Send for it to-day. It is free.

THE DETROIT JOURNAL INFORMATION BUREAU,
Frederic J. Haskin, Director, Washington, D. C.:

I inclose herewith two-cent stamp for return postage for a free copy of the Garden Book.

Name _____
Street address _____
City _____ State _____

Mr. SMOOT. The letter then proceeds:

No profit is made by anyone on any of my transactions. I receive no income except the salary paid me by the newspapers, and the newspapers have no return, except the good will of their subscribers and the satisfaction of promoting public welfare.

On this point I said:

I do not think Mr. Haskin charges anything for the documents. He requires, however, that a 2-cent stamp be sent to him before he will send any document. Of course, there are a lot of farm bulletins among them, which it never costs 2 cents to send, but I am not saying that Mr. Haskin is making money out of these documents, because I do not know it. However, I think it gives him a standing with a clientele of people in the United States by the free distribution of these documents, which he uses in order to secure the appointment as representative of newspapers from all parts of the country.

Then Mr. Haskin proceeds:

I note that you told the Senate that I procured 1,329,475 copies of Government publications in a little over a year, and that you found in the list as high as 82,715 copies of one document.

If you could have taken the time to have informed yourself more fully, you might have told the Senate that my participation in this distribution was usually at the request of a Cabinet officer or bureau chief, and that the assistance of the newspapers was invariably welcomed and appreciated by Government officials rather than opposed by them.

You might have told the Senate that the large quantity I used of one particular document was a bulletin on the treatment and prevention of influenza issued by the Public Health Service when the epidemic was raging. In this national emergency my newspapers responded to the request of Dr. Blue to advertise this bulletin.

Upon another occasion I sent out to my papers reproductions of letters from both Dr. Blue and Secretary Baker, asking for cooperation in the fight against the spread of venereal disease. In this instance, and in many others which might be cited, neither I nor my editors had any interest except to promote public welfare, there being many subjects more attractive in character, and not of governmental origin, which were at our disposal.

You are mistaken in the idea that my distribution of governmental literature is a trespass upon congressional privilege. On the contrary, it is an aid to it.

This is what I said in that regard:

Mr. President, these documents are printed for distribution by the departments and Senators and Representatives, and the intention originally was that they should be sent to the constituents of Senators and Representatives.

Mr. Haskin's letter proceeds:

Widespread publicity for a campaign for better babies or garden planting or fruit canning calls the attention of many people to the subject who otherwise would know nothing about it, or be so indifferent as not to act. Once these persons are made acquainted with the benefits they may receive from their Government, they are likely to remain in closer contact with it thereafter.

One certain outcome of the war, and the tremendous publicity given the various drives for financing, increased production, efficient management, etc., is that millions of citizens have learned how to cooperate more closely with their Government and benefit from its many activities. This condition naturally argues for an increased appropriation for the dissemination of educational literature, rather than a restriction of it such as you propose.

When the Government expends vast sums of public money for scientific research, which is of great practical value if its results can be put in the hands of people who can profit by it, surely that distribution by any agency that is proper and economical should not be restricted.

You have only to inquire to find that as a practitioner before the Government I am in good standing, and there is no question as to the economy of my service, because it is free.

My work does not interfere with the distribution of governmental literature by Members of Congress. They are recognized both by the departments and by me as the ones who have the first right to the distribution of this literature. But the Members of Congress have only limited facilities for advising the public what is available in the way of governmental literature. If several hundred thousand copies of a bulletin on corn culture have been printed, for example, because the Department of Agriculture believes that number should be distributed, and if only one-half of these are distributed through Members of Congress, it can scarcely be argued that any waste is involved in the distribution of the remainder through my service.

This is typical of my operations. I get my supplies, as a rule, only after all demands from Members of Congress have been satisfied. My work begins where theirs ends. I give circulation to an immense mass of printed matter which would otherwise not attain any circulation at all, and I put it in the hands of persons who would otherwise never have heard of it. Many Members of Congress have recognized the value of this work, and none, before you, has seen in it any trespass upon the routine methods of distribution, or has considered a free and widespread circulation of such valuable literature, in excess of what Congress can itself distribute, a waste of public money.

Very truly, yours,

FREDERIC J. HASKIN.

Mr. President, I now state that if I have the power I am going to stop the distribution of millions of Government publications that now go into the wastebaskets of the country. My mail of late has simply been clogged with letters sending to me samples of the waste of paper in the way of documents sent to them unsolicited, and the recipients had no interest whatever in the subject matter. In the future this practice will at least be curtailed, because now even the departments can not issue more than 50 copies to any individual or corporation without the consent of the Joint Committee on Printing.

I cast no reflection upon Mr. Haskin as a man or upon his business in any way. He has complied many times with direct requests of heads of the Government. All I want to do is to bring about, if possible, the saving of millions and hundreds of millions and billions of publications sent indiscriminately to the people of the United States who do not want them.

Mr. KING. Will my colleague yield?

Mr. SMOOT. Certainly.

Mr. KING. I should like to ask the Senator how this will be stopped so long as Congress makes appropriations to the various departments and bureaus and Federal agencies which they may expend in publishing all sorts of trash and misinformation, as well as many foolish and alleged scientific documents, which pour forth from executive departments in a perennial stream?

Mr. SMOOT. I will say to my colleague that one way this is going to be enforced is that we are going to enforce the law which is upon the statute books to-day limiting the number of publications that can be printed by any one department. In the past they have paid no more attention to the law than if it was the whistling of the wind. The limit is 5,000 copies, but I know of documents where they have printed over a million copies.

The Senator is correct when he speaks of appropriations made; but take almost any of the deficiency appropriation bills and you will find appropriations covering deficiencies for printing and binding.

Mr. PHELAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SMOOT. I yield to the Senator.

Mr. PHELAN. Mr. President, I have been in receipt of many requests for copies of the report of the Commission on Classification. That is a report which interests everybody in the service of the United States. I was informed that only one copy was allowed to each Member of the Senate. It occurred to me that a document for which there is so great a demand should be made available for the public even if it was necessary to require the payment of a certain price. I should like to ask the chairman of the Joint Committee on Printing what is the policy of the committee with respect to the distribution of the report of the Classification Commission?

Mr. SMOOT. I think the Senator has been wrongly informed, in the first place, that each Senator is entitled to only one copy. Whenever a document is printed each Senator is allowed two copies of the document.

Then, in the next place, the commission itself has authority to print them. I do not know whether they spent all their money in paying salaries or not and did not print the necessary number of the reclassification report. However, I will simply say to the Senator that wherever there is a legitimate demand—and this is the first I have heard of the question—the Joint Committee on Printing has no idea of restricting it except within limits. This is the first time I have heard the question mooted.

Mr. PHELAN. May I ask what was the size of the edition of the report printed?

Mr. SMOOT. The usual number was printed.

Mr. PHELAN. Five thousand?

Mr. SMOOT. No; 1,464.

Mr. PHELAN. Do I understand that the document is available to those who desire to purchase it from the Superintendent of Documents?

Mr. SMOOT. I do not think it will have to be purchased. Of course, we are not going to print copies sufficient to give to every boy and girl and man and woman in the employ of the United States. That would take 775,000 copies. It is true that before the war we had less than 300,000 employees, but to-day we have 775,000. Any reasonable call, I will say to the Senator, is going to be complied with.

Mr. PHELAN. I am obliged to the Senator for the information.

PURCHASE OF FABRICS BY BUREAU OF STANDARDS.

Mr. SMOOT. Mr. President, while I am on my feet I wish to call the attention of the Senate to another matter.

I have before me a letter from the Department of Commerce, Bureau of Standards, signed by E. M. Michelsen, textile section of the Bureau of Standards, dated April 10, 1920, and addressed to a manufacturer. I wish to read this letter to the Senate, and then I want to make just a few comments upon it.

DEPARTMENT OF COMMERCE,
BUREAU OF STANDARDS,
Washington, April 10, 1920.

GENTLEMEN: The textile section of this bureau would like to establish an organization enabling members of the bureau staff to purchase staple fabrics for their personal use, and would be pleased to have your cooperation.

Our plan is as follows: On receipt of sufficient requests to make up one or more bolts, prices and 1 square yard samples will be obtained and tested in our laboratories. Consideration of quality, price, and delivery will enable us to place our orders, terms being cash on delivery.

We will in no way mention the name of the selling agent or manufacturer in connection with the testing or selling of the fabrics, unless requested to do so by the seller.

We wish to purchase fabrics of good quality only, and would be pleased to have you send us samples and prices on white madras shirt-ing. We understand that you have mill ends which you sell, but if possible we would like to obtain the full pieces.

Very truly, yours,

E. M. MICHELSEN,
Textile Section.

Mr. President, if the Government of the United States is going into the business of purchasing of goods to be furnished to all of its employees, there ought to be an establishment where all of the employees may be treated alike and which will furnish the goods they want. This is only a sample of the letters that I have received.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield.

Mr. McCUMBER. May I ask the Senator if the Government is going into that line of business, why should not the benefits be given to all the people in the United States? Why should they be limited to the employees of the Government?

Mr. SMOOT. Mr. President, there is wisdom in the question asked by the Senator from North Dakota, but what I want to do at this particular moment is to call the attention of the Senate to the fact that if all the bureaus and departments of the Government are going to undertake to purchase all kinds of goods from the manufacturers and distribute them at retail to the Government employees in the respective bureaus and departments it is going to cost the Government of the United States tens of millions of dollars.

In the first place, these letters are written upon the letterheads of the Department of Commerce. Not only is the time of the employees of the department taken up in writing the letters but in receiving the goods, in the examination of them, and, more than likely, in delivering the goods to each individual purchaser. It is going to cost the Government of the United States much more in dribbling these purchases out than it would if we had one place for all the employees to go and purchase the goods at cost.

Mr. McCUMBER. Mr. President—

Mr. KING. Will my colleague yield to me?

Mr. SMOOT. I yield, first, to the Senator from North Dakota, and then I will yield to my colleague.

Mr. McCUMBER. Mr. President, the Senator from Utah has suggested that he desired to call these facts to the attention of the Senate. Will the Senator now go just a little further and call to the attention of the Senate the law authorizing the bureaus of the Government to go into the retail clothing business?

Mr. SMOOT. Of course, Mr. E. M. Michelsen, of the textile section of the Bureau of Standards, will immediately answer and say that it is not the Bureau of Standards that is doing this, but that it is the employees of the Bureau of Standards. It is just such activities as this, however, that require the unusual number of employees in all of the departments. If they will attend to the business of the respective departments, we can, in a great number of instances, cut the number of employees in two and have the work done a great deal better than it is done today. Now I yield to my colleague.

Mr. KING. The letter that my colleague has just read would be construed by some as a proceeding somewhat smacking of blackmail. This is rather a harsh word; but, as I understand, the gentleman who writes this letter is at the head of a bureau or an agency of the Government that has to do with testing and examining textile fabrics produced in the United States.

Mr. SMOOT. It is engaged in testing them in Government laboratories.

Mr. KING. If I understand the communication just read, the Bureau of Standards is a Government agency, is supported by the Government, and persons employed therein paid by the Government. The Government furnishes laboratories and other instrumentalities for the purpose of testing fabrics as well as other products and commodities. The stamp of approval by the Bureau of Standards upon any product is important to the manufacturer and vendor. The relations between the producer and the Bureau of Standards in a sense brings the employees of the bureau and the manufacturers into an antagonistic position; that is to say, the manufacturer and producer are desirous of obtaining a certificate from the Government that their products are of a high and superior grade. The employees of the bureau are there for the purpose of serving the public and administering in a fair and just manner the rules and regulations promulgated for their guidance. In a sense they are judges, or courts, to pronounce judgment upon the work and labor and products of others. It seems to me that it is a gross impropriety for employees of the Bureau of Standards to have commercial dealings with those whose products are submitted to be tested and examined and passed upon. As I interpret the letter just read,

it would seem that it is in a sense a species of intimidation and extortion. The letter clearly declares that the employees of this Government agency want to form a combination to obtain goods at a low price. They state to the persons to whom the letter is directed that they will send orders and pay cash, and that the products of the manufacturer will be tested "in our laboratories." Of course, these employees have no laboratory. It would seem that the clear purpose of the writer was to secure for himself and others manufactured products at a very low price, and that an important factor in determining the price resulted from the fact that the proposed purchasers and the Government organization with which they were connected could help or hurt the manufacturer to whom they communicated. Can anyone doubt that the reception by the ordinary manufacturer of a letter such as the one before us would impel him to name an exceedingly low price, far below the market, for articles proposed to be purchased? He could not deal at arm's length in an independent way with the writer of the letter, or, at any rate, he could not deal with that freedom that would characterize his procedure if the proposition to purchase emanated from some wholesale dealer or broker. If my interpretation of this letter is correct, the author of the letter is not only guilty of a grave indiscretion but his conduct calls for investigation, and, if the facts are as the letter seems to indicate, his dismissal from the service should follow.

Mr. SMOOT. Mr. President, there is another part of this letter which I do not like at all, and that is the part, which reads:

We will in no way mention the name of the selling agent or manufacturer in connection with the testing or selling of the fabrics unless requested to do so by the seller.

What does that mean? It means, "If you will let us have these shirtings as requested, if you want us to advertise the fact, we will do so"; or, in other words, "If you will let us have these shirtings, perhaps at a price greatly below cost, you will get paid the price you quote us and receive in addition advertisement such as the Bureau of Standards will give you." That is wrong in principle; it is unjustifiable.

Mr. President, I hope that calling the attention of the Senate to this particular case will stop the practice in all of the departments of the Government engaged in this same class of work.

Mr. THOMAS. Mr. President, the Senator from Utah is quite an optimist this morning. I do not think it will stop it at all.

Mr. SMOOT. I only express the hope; but I will say to the Senator from Colorado that I am a little fearful that my hope will not be realized.

Mr. KING. If my colleague will yield to me, I desire to say that I do not think he will have done his full duty unless he communicates with the head of the organization from which this letter emanates and requests that an investigation be had. If the facts are as the letter indicates, the employee of the Government who wrote the letter ought to be summarily discharged from the service.

Mr. SMOOT. Mr. President, I have merely called attention to the letter which I have read. I have paid no particular attention to the others, for they were not so specific in their requests; yet I do know that a similar practice is going on in other departments of the Government; and I hope when it is called to the attention of the heads of the departments that the practice will cease.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 9369, the Fuller pension bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases.

Mr. REED. Mr. President, I wish to inquire of the Senator from North Dakota whether he expects to keep the bill which he has just called up before the Senate only during the usual morning hour, or whether he intends to hold it here during the day?

Mr. McCUMBER. I hope we will get through with it during the morning hour to-day. If we do not, the river and harbor bill really has the right of way, and if the Senator having that bill in charge insists on it he would be entitled to proceed after 2 o'clock. If the pension bill is not completed before that time, I hope to make it the unfinished business following the river and harbor bill; but until the river and harbor bill is disposed of, if this bill is not disposed of sooner, I shall try to call it up each morning after the close of the routine morning business.

Mr. REED. I will say to the Senator that my reason for inquiring was that I expected to address the Senate this morning on the river and harbor bill. If the Senator is going on with this bill after 2 o'clock, of course I can make my remarks on the river and harbor bill at this time. I would prefer to do it, however, when the bill is formally before the Senate.

Mr. McCUMBER. I think the Senator would just as soon wait until 2 o'clock, would he not, and then discuss that matter when the river and harbor bill is really before the Senate?

Mr. REED. Very well.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Colorado [Mr. THOMAS], which will be stated.

The ASSISTANT SECRETARY. On page 2, line 25, before the words "Civil War," it is proposed to insert the words "War with Mexico, the Spanish-American War, or the."

Mr. KING. Mr. President, how would it read then?

The ASSISTANT SECRETARY. So that section 3 will read:

That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps, during the War with Mexico, Spanish-American War, or the Civil War, and in the line of duty, shall have lost one hand or one foot or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; that all persons who, in such service and in like manner, shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$65 per month; that all persons who, in such service and in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$72 per month; and that all persons who, in such service and in like manner, shall have lost one hand and one foot, or been totally disabled in the same, shall receive a pension at the rate of \$90 per month.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado.

Mr. SMOOT. Mr. President, I understood that that amendment was voted on last evening.

The VICE PRESIDENT. The Chair was here, and it was not voted on.

Mr. THOMAS. I supposed it was.

Mr. SMOOT. So did I.

The VICE PRESIDENT. It was not voted on. The roll was called and failed to disclose the presence of a quorum.

Mr. McCUMBER. Mr. President, my information is that the RECORD shows that the Chair put the question, and the Chair announced that the "noes" seemed to have it, but went no further than that. Then the absence of a quorum was suggested.

The VICE PRESIDENT. Yes.

Mr. McCUMBER. And therefore I assume that the question is still open.

The VICE PRESIDENT. It is.

Mr. KING. Mr. President, I should like to ask the Senator having this bill in charge the reason why the provision suggested by the Senator from Colorado was not included in the original bill. I am asking for information.

Mr. McCUMBER. Mr. President, that is because we are including in this bill only those things which relate peculiarly to the soldiers of the Civil War. They are a much older class than the soldiers of the Spanish War and the soldiers of the late war. However, provision has been made for similar disabilities when incurred in service by the soldiers of the late war.

The Senator will easily understand, for instance, that the loss of an arm below the elbow in the case of a man 20 years of age will not be exactly the same impediment against his earning a living that it would be in the case of a man 80 years of age, because he can still earn a living. There is no question but that his earning capacity has been greatly reduced, but the man 80 years of age can not earn any living at all; and therefore we felt that it was better to deal with that question when the Spanish War veterans' bill should come before the Senate.

I call attention also to another matter—for instance, loss of leg at the hip joint. The first pension that was granted to soldiers of the Civil War for that disability was \$15 a month, on June 6, 1866. That was increased to \$24 from June 4, 1872, to \$37.50 from March 3, 1879, to \$45 from August 4, 1896, and to \$55 from March 2, 1903. So it will be observed that we gave the soldiers of the Civil War nothing like this amount until they are given it in this bill at a very advanced age.

Of course, we will all agree that if they were all about the same age and in the same war, the same rules should apply without reference to their ages; but it was thought by the committee that we ought to deal with the soldiers of each war separately. At the present time the soldiers of the Spanish War are receiving the same amount for like injuries and loss of limb

that soldiers of the Civil War, who are very much older, are receiving; but the committee felt that it was better to leave an increase for those of the Spanish War until the time when we should consider a bill relating to that war.

Mr. CHAMBERLAIN. Mr. President, I offered an amendment for the same purpose as the amendment proposed by the Senator from Colorado, but in a different way. It was to strike out the words "during the Civil War." That would make the bill applicable, if adopted, to those covered by and included in the amendment proposed by the Senator from Colorado; so that if the amendment which I propose and which is also pending is adopted, section 3 will read as follows:

SEC. 3. That from and after the approval of this act all persons whose names are on the pension roll, and who, while in the service of the United States in the Army, Navy, or Marine Corps, and in the line of duty, shall have lost one hand or one foot or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; that all persons who, in such service and in like manner, shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$65 per month; that all persons who, in such service and in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$72 per month; and that all persons who, in such service and in like manner, shall have lost one hand and one foot or been totally disabled in the same shall receive a pension at the rate of \$90 per month.

I think the amendment of the Senator from Colorado or, better, that offered by me, ought to be adopted. I am going to ask the Secretary to read a copy of a letter which I received after I offered the amendment proposed by me. I do not give the name because I am sure the party who wrote it would prefer not to have his name submitted, but I will say for him that he is one of those who lost a leg in the Spanish-American War.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

WASHINGTON, D. C., April 17, 1920.

HON. GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I want to congratulate you on the fairness of your amendment to H. R. 9369, as reported out by the Senate Committee on Pensions.

The brutal discrimination of this measure as it came from the committee, it seems to me, ought to be apparent to everyone who takes the trouble to examine it. Your amendment very properly takes notice of the fact that the bill as reported to the Senate seeks to discriminate between men of identical disabilities, making a preferred class of one and allowing the other to go limping along in the struggle of life, getting on as best they can because few in numbers and therefore handicapped in enforcing any demands for relief.

I would like to call your attention to one noteworthy fact, and that is that never to this time in the history of pension legislation has there been enacted by Congress a law which discriminated between men who had lost arms or legs in the military or naval service of the United States.

While this and that law has been enacted in behalf of the Civil War and the Mexican War veterans suffering from partial disabilities, ignoring the men who served in the Spanish-American War and the Regular Establishment (meaning the Regular Army of peace times), the laws have always dealt evenly with men who had suffered the loss of hands or feet.

The present bill now seeks to depart from that rule and to increase the pension of the Civil War veteran and of some other classes who have lost legs and arms and to leave out of its benefits men of identical disabilities sustained in the Spanish-American War or in the Regular Establishment. Frankly, I think you will have to agree with me that the proposed legislation is an affront to every man who suffered such an injury in the Spanish War or the Regular Service. These pensioners are now receiving equal treatment, drawing their pensions under the same act, regardless of the time or character of their service.

Can it be that the committee which reported this bill reasons that the crutch operates more soothingly in the armpits of men who lost their legs in the Spanish-American War or in the Regular Establishment, or that the stumps of their maimed legs and arms are less likely to chafe than those of veterans of other service?

In the report accompanying this bill the Senate committee justifies the proposed pension increases to certain classes of veterans on the ground that the cost of living has mounted skyward in the last few years. For example, they cite the increase in the cost of ham from 15 cents a pound in 1913 to 55 cents in 1920. Can it be that this committee imagines that injured veterans of the Spanish-American War or the Regular Army are still buying ham for 15 cents a pound? If so, it might have been well for them to summon some crippled Spanish War veteran or Regular before them before reporting this bill. In any case, I hope this letter will set the members of the committee right on these points.

It is a notorious fact that men who were injured in the Regular Service or in the smaller wars have been grudgingly recognized by Congress, and, certainly, it is unfortunate that there should be such a flagrant demonstration of this tendency just at a time when preparations are being made to build a larger standing army.

Can it be that with the Great War over, the public mind is again reverting to that common contempt for the man who wears a uniform in time of peace? No one will deny that it has always been true—true in this country as well as in others. The bill which has been reported to the Senate is but the first sign of return to that peace-time state of mind which regards the Regular soldier as a necessary evil.

When Rudyard Kipling wrote the poem entitled "Tommy Atkins" he most faithfully portrayed the radically diverse moods of the public

toward the regular soldier in peace and in war. He knew his subject when he wrote:

"Oh, it's Tommy this and Tommy that,
And Tommy go away;
But it's thank you, Mr. Atkins,
When the band begins to play."

The action of the Senate committee reflects a reversion, now that the war has been fought to a successful conclusion, to the spirit of the first two lines of the foregoing verse.

As one of the 600 or more veterans proscribed by this measure as unworthy, I thank you.

Very truly, yours,

Mr. CHAMBERLAIN. Mr. President, I favor the pension bill as reported out of the committee and will vote for it, whether the amendment suggested by the Senator from Colorado or that suggested by myself is adopted or not. I do not believe I have voted against any general pension legislation since I have been a Member of the Senate.

I do not agree at all with my distinguished friends from Colorado [Mr. THOMAS] and Utah [Mr. KING] and some others who so bitterly oppose these pension bills. I feel that the Government of the United States is doing only justice to the veterans of all wars when they vote to them pensions and increase the pensions as the years go by and the veterans become enfeebled and helpless.

This bill recognizes only the veterans of the Civil War. I favor that. Why not recognize them all, Mr. President? In the Civil War, as has been stated here, there were 2,151,789 men who were under 21 years of age and there were 628,516 men over that age. That was all of the 31,443,321 of population of the United States in 1860 who went to the war and preserved the Union. The men who were willing to do that—and most of them were volunteers—ought to have their services recognized in some substantial way, even if it is necessary to go down into the pockets of some of the men who stayed at home and profited during the time the war was waging. There were many of military age and fitness who declined to participate in that war, Mr. President, and finally the draft was resorted to by Congress, as it was by the Southern Confederacy, in order to compel all within the military age to go to the front and bare their breasts to the bayonets of the enemy.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. KING. I do not want to be captious at all. I do not think there is any objection particularly on the part of anybody to pensioning those who did bare their breasts to the enemy, who did actual military service, who were wounded or suffered disabilities or incurred disabilities which have incapacitated them for the duties of life. But the Senator certainly ought to distinguish between men of that character and the camp followers, and the thousands and tens of thousands and hundreds of thousands of men who came into the service during the Civil War who were not within 100 miles or 1,000 miles of any battle field, who never saw the smoke of battle, who were exposed to no danger. Many of them, indeed, had a delightful jaunt for 30 to 90 days or 4 months.

Mr. THOMAS. Some were substitutes.

Mr. KING. Some were substitutes, as the Senator says. Those men are not to be put in the same category with soldiers who fought upon the battle field, who lost legs and arms, who were wounded, who incurred disabilities, and who suffered. Those men ought to be distinguished, it seems to me, from the multitude of children and grandchildren and uncles and aunts and widows to the third and fourth generation and nth power, thousands and tens of thousands and hundreds of thousands of whom are now upon the pension rolls.

As a matter of fact, if the Senator will just pardon me one moment, the records show that upon the pension roll to-day there are more of the latter class than there are of men who were nominally and actually within the military and naval service of the Government. The figures are as follows:

The total number of survivors of the Civil War is 271,391; that is, those who were on the rolls February 6, 1920. I will modify that statement.

Mr. McCUMBER. Will the Senator correct that? I think that while the statement of the number is correct, that was the number on the rolls June 30, 1919.

Mr. KING. I stated that I would modify it. I will read the statement as I have received it from the Commissioner of Pensions. He states that the total on the Civil War pension rolls June 30, 1919, was 568,343; survivors, 271,391; widows, and so forth—"and so forth" will cover a large number of individuals and classes—296,952. Of course out of the survivors only a comparatively small number, my information is, actually were upon the battle field, actually bared their breasts to the bayonets of the enemy, to use the expression of the Senator.

I ask the Senator again, Does he not distinguish between those men who did serve their country upon the battle field,

who were wounded, who did incur disabilities, and the aunts, the uncles, and the widows to the third and fourth degree, and the descendants and progeny and the alleged dependents in the ascending and the descending lines?

Mr. CHAMBERLAIN. Mr. President, I am in total disagreement with the Senator. This legislation must be general in its nature and character, and I stand for it. I care not whether it be popular or unpopular. If the Senator's view be taken as the correct one, it is an unpopular proposition, and I am on the unpopular side. If it is popular legislation and only advocated by politicians for selfish purposes, then I am fortunate in being on the popular side. That is immaterial to me, and I resent the imputation, no matter where it comes from, whether from this side of the Chamber or the other, that men who vote for these measures do it for political and selfish purposes. I do it as a matter of principle, and the men who are opposing these appropriations as a rule, Mr. President—I do not mean in the Senate, but I mean in the country at large—the men who are opposing such appropriations because it increases their taxation are not the men who have their little farms and homes with small incomes; they are not the men who earn moderate salaries, as we in the Senate do. They are the extremely rich and the men as a rule who profited during the civil and other wars, and who now object to large appropriations to pay to these men who saved and preserved the Union their just dues.

I stand for the pension policy, Mr. President, as a matter of principle. I am not only for this bill but I am going to vote for whatever is proper, reasonable, and right for the young men of this World War, whether they bared their breasts in conflict on the battle fields of France or whether they remained in the cantonments and camps of America, ready to go whenever their country said the time was appropriate for them to go. Let those pay for it who must. I am perfectly willing to give a part of my salary and income every year for this purpose, and so are the great mass of our people.

The same charge of political influence and motive is made, Mr. President, because some of us here in the Senate vote for appropriations to improve the rivers and harbors of this country. I have stood for those appropriations. My State has stood for them, and has shown its faith in work which goes to improve our country's waterways by contributing dollar for dollar for every cent that is appropriated to it by Congress for this purpose. My State will stand for this legislation, Mr. President, because the people of Oregon feel as I do, that we owe it to these old veterans of the Civil War to see that they shall not be in want in their old age. They stand, too, for paying the young men who were in this World War whatever is right and just.

The Senator says there were a lot of camp followers in the Civil War. Probably there were. If there were any camp followers, they were there for the purpose of making money, and they and their descendants, with millions pocketed by them and rung from the troops who were at the front, are now the men who kick, as a rule, against the payment of any taxes to meet the appropriations made by Congress.

There were killed and died of disease and wounds in the Civil War 400,000 men. The South had at least 1,500,000 men engaged, and their losses were proportionate to those of the North.

Mr. REED. Mr. President, does not the Senator think that the Pension Bureau is so organized now that practically every case of fraud has been eliminated and that a rigid examination has been had with reference to every case, so that mere camp followers and creatures of that kind are to all intents and purposes taken from the pension rolls?

Mr. CHAMBERLAIN. I do not think there is any question about that, and I am glad to have the Senator make the suggestion. The Senator served with me for a long time on the Military Affairs Committee, and the Senator knows there were many claims which came before the Military Affairs Committee where the committee felt that the War Department had been so strict in the enforcement of the law and in their investigations that they had excluded very many worthy men.

Mr. THOMAS. Mr. President—

Mr. CHAMBERLAIN. I yield to the Senator from Colorado. Mr. THOMAS. The operation of the Pension Bureau may be, as the Senator suggests, but those whose claims are rejected seldom fail—there may be some exceptions—to come to the Congress of the United States and there, by special bill, secure the pension just the same.

Mr. CHAMBERLAIN. If the Senator will pardon me for differing from him, I will tell him now that as chairman of that committee I have gone over the record many, many times, and where one was allowed there were ten disallowed by the committee or not acted on at all.

Mr. THOMAS. I am not referring to the Committee on Military Affairs. That is the committee having to do with bills for correcting records of service. I know that the vetoes of President Cleveland first exposed that situation, but the practice long ago has been abandoned—in fact, it did not survive. President Cleveland—and the special pension bill has been the salvation of the soldier whose claim for pension was turned down by the Pension Bureau.

Mr. CHAMBERLAIN. Does the Senator remember whether President Cleveland had a substitute in the service or not?

Mr. THOMAS. I think he had a substitute; but that is aside from the question. His substitute may have been pensioned. The other day I received a letter from a substitute asking me to introduce a special bill to secure a pension for him.

Mr. REED. Mr. President, if the Senator will pardon a further interruption, I suppose there is no doubt about the fact that at one time the pension business of the country was run pretty loosely. I suppose there is no doubt that attorneys, who were then paid fees for getting pensions through, were very active, and they got results that were unjustifiable in many instances. The character of the gentlemen who engaged in that business as attorneys was not of the highest for the most part, but I think, from my observation and experience, that the pension rolls have been pretty thoroughly purged.

But, now speaking of private pension bills, I have introduced, as has every other Senator, many private pension bills. I never introduced one that did not seem to me to have some merit, and it has been a rare thing to get one of those bills approved. I have known a number of instances where it seemed to me that every principle of equity called for the enactment of the bill, but where the committee, under some rigid rule, rejected it.

May I be permitted to have the time of the Senator to add that the Civil War army is getting pretty old and the ranks are getting pretty thin? They are marching on into the great beyond very fast, and I do not believe we will add anything to the patriotism of our country by a niggardly policy.

Mr. CHAMBERLAIN. Mr. President, I am thoroughly in accord with the Senator from Missouri in that regard. I do not know that I would have said anything to-day, except that it is continually insisted here by a few of my colleagues, whom I esteem most highly, that those of us who favor these pension bills are doing so for political purposes. I do it, Mr. President, as a matter of principle. I have always done it. In the 10 years I have been in the Senate I do not remember ever voting against a general pension measure, because, although I was born and reared in the South, and my brother and other relatives in the South fought under the flag of the Southern Confederacy, I still think that we owe a debt of gratitude to the men who fought under the Stars and Stripes for the preservation of the Union that we can never fully pay. The men outside of the Senate who are now objecting to the increase of taxes that will be necessary to meet these appropriations owe the very fact that they are able to pay taxes to those men who labored and sacrificed all, and whose widows and children in many instances became dependent because those men either lost their lives or became permanently disabled.

The only objection I have to the bill is that it does not go far enough to include the Regular soldier in the section under consideration. There is a disposition to hold in disrepute in large measure the man who wears the uniform of his country, and there is no better evidence of that than the fact that the Regular soldier is discriminated against in this bill.

There are a great many men in the Regular Army who, both before and since the Spanish-American War, have become permanently disabled in the service, and they are just as much entitled, where their injuries came in the line of duty, to a pension as the men who actually became disabled as a result of a saber cut or a bullet in the Civil War or in any of the wars of our country.

I have watched our boys returning from France, and it has distressed me greatly to see magnificent divisions of Regulars from overseas landing in New York with little show of rejoicing. There was practically no one to meet them and they marched down the streets unheralded and without acclaim. There was not a braver body of men in the world than those Regulars who came over from France, and if I recall—I tried to find it this morning, but I failed to do it—there was only one unit mentioned by special name in Gen. Pershing's report, and that was a unit of Regulars. Why not recognize the man in the Regular Army, whether in the Civil War or since, whether in the Spanish-American War or since, or at any time, who has lost a limb and has become incapacitated to earn his own support and the support of his family because he was injured in the line of duty?

Mr. President, there were, in round numbers, 4,000,000 troops raised for the overseas war. Many of these boys were volunteers; many of them went over under the selective-service act; many of them could have claimed exemption, but did not do it. In other words, there were practically 33 per cent of the population of the United States that went over in defense of civilization and to make the world safe for democracy. Can not the 96.5 per cent of the people of the United States go down in their pockets and reward these young men—call it a bonus or whatever you please—who were willing to offer up their lives upon the altar of their country?

Can not that thing be done? Can we not advocate such a policy without being charged with playing politics in order to gain the good will and favor of those young men? I deny the charge. It is wholly unworthy of Members of this Senate. Because we happen to differ from some of our colleagues on the principle involved here we, forsooth, must be charged with playing politics, although it has been the policy of our lives, some of us, to stand for just such legislation.

The Senator from Michigan [Mr. TOWNSEND] will remember the fate of the retired volunteer officers' pay bill. The United States held out promises to those old men when they went into the service. Congress has never redeemed its promise to those men. We have reported the bill out from our committee more than once, but it always fails either here or in the House of Representatives. That debt ought to be recognized before the beneficiaries of it pass to the great beyond.

Mr. President, I have said more than I intended to say. Let some of the 95 per cent of the population who remained at home when the World War was being fought consent to do justice to the soldiers of that war. There were great fortunes made out of it. While our boys were reddening with their blood the plains of France and laying down their lives to preserve our institutions, the profiteer was at work here at home, and he ought to be compelled to pay something out of the fortune he made and achieved as a result of all the sacrifices that were made in order to make the present condition of the young soldiers better and happier.

I hope the Senator from North Dakota [Mr. McCUMBER] will accept the amendment and let the Regular soldiers, if you please, share the benefits of the legislation. There are not very many of them. There have been in the Regular Establishment only 369 men who would come under that provision. There are only 167 of them who were engaged in the War with Spain, and only 11 of them in the war of 1917. Why not appropriate for them, and let Congress do justice to them all?

The strange thing about the present situation is that while we contribute to one class of our soldiers and sailors, we make the Regular pay his own way after he becomes incapacitated. The only institution in this Government that I know anything about that pays its way and asks nothing from Congress is the National Home for Soldiers here in Washington, to which the soldier contributes so much each month to take care of himself and his comrades when they become incapacitated. Even out of the small salary of \$13 a month he received at one time, he used to have to turn a portion of it over for the purpose of maintaining an institution where he might some day go, but where he knew many of his old comrades must eventually find an asylum. Let us treat them all alike. I beg the Senator will accept these amendments, so that all may be treated justly and alike.

Mr. McCUMBER. Mr. President, I wish to consider just briefly the amendment offered by the Senator from Colorado [Mr. THOMAS] and my reasons for saying that it should not be made a part of this particular bill. I listened with considerable interest to the letter which was read, written by a Spanish war veteran. This veteran seems to have a misconception entirely of the purpose of pension legislation. The main purpose of all pension legislation is to make good the loss occasioned by the service. In addition to this we grant a pension for the old and helpless, because of our gratitude for his war services.

This legislation is based, therefore, upon disability. The writer of the letter seems to fail to take into consideration that the bill now pending is based not only upon the loss of limb as a disability but advancing age as a disability. It will be admitted, of course, that if two soldiers in the Civil War lost a leg below the knee both should receive exactly the same pension.

That is true of the soldiers of the Spanish-American War and of the war of 1917; but the soldier who loses a portion of his leg, say, below the knee, and who is but 20 years of age, often can use an artificial limb, and can still partially earn his living; he is not totally disabled. There is no question but that the Government should deal most liberally with him in making good the loss, and even going beyond that, for a

thousand inconveniences and sufferings that can never be compensated for by any pension; but the man who is 80 years of age, who has suffered a like physical disability, and who can not earn one penny, is not exactly in the same position. We have provided for an addition to the pensions of the soldiers of the Civil War at this time more particularly because they have reached an age at which their earning capacity has long since been passed. That is why we make a rule relative to the soldiers of the Civil War which we have not yet applied to the soldiers of the war of 1898, because the soldiers of the Civil War are from 30 to 40 years older than the soldiers of the latter war, and because their condition requires greater assistance on the part of the Government.

I wish the Senate further to remember that we have also reported from the Committee on Pensions, favorably, the Sells bill, which deals with the Spanish-American War veterans. I hope that the Senator from Colorado [Mr. THOMAS] or the Senator from Oregon [Mr. CHAMBERLAIN] will offer the amendment to that particular bill, rather than press it on this bill, for there is where it belongs.

I am not certain that I would not agree with them that it ought to be made a part of that bill; but I want to weigh it in connection with the age and condition of the soldiers of that war just as exactly as I weigh a like loss in connection with the age and physical condition of the old soldiers of the Civil War. The Sells bill is on the calendar of the Senate, and will come up in due course; but I think it appropriate to make a little allowance for the age of the old veterans of the Civil War, and that it is proper that we should consider the soldiers of that war in a class by themselves. I propose, so far as my vote can go and so far as my voice can go, to see that justice, and full justice, is done the soldiers of the War with Spain and the World War. I think, Mr. President, that the amendment ought not to be pressed on this particular bill.

Mr. CHAMBERLAIN. May I ask the Senator from North Dakota what is the status of the bill to which he has just referred?

Mr. McCUMBER. It is on the calendar.

Mr. CHAMBERLAIN. Is that bill for the benefit of the Spanish-American War veterans?

Mr. McCUMBER. It is entirely for their benefit; it pertains exclusively to the soldiers of the Spanish-American War.

Mr. CHAMBERLAIN. I have not read that bill, but may I ask the Senator if it contains any provision relative to the loss of limbs by soldiers?

Mr. McCUMBER. No; there is no provision in the bill relating to the loss of limbs by soldiers, but an amendment can be applied to that particular bill just as well as it can be added to the pending bill.

Mr. CHAMBERLAIN. But in order to make an amendment apply to that bill there would have to be a whole section added to it, such as the one which is included in this bill.

Mr. McCUMBER. Of course, it is just as easy to add a whole section as it is to change a word. The only question is as to where the provision properly belongs, and I think it properly belongs to the bill relating to the Spanish War soldiers.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

Mr. KING. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harrison	McCumber	Smith, S. C.
Ball	Henderson	McKellar	Smoot
Calder	Hitchcock	McNary	Spencer
Capper	Jones, N. Mex.	Nelson	Sterling
Chamberlain	Jones, Wash.	New	Sutherland
Comer	Kellogg	Nugent	Swanson
Curtis	Kendrick	Overman	Thomas
Dial	Keyes	Page	Townsend
Dillingham	King	Phipps	Trammell
Frelinghuysen	Kirby	Reed	Underwood
Gerry	Knox	Sheppard	Wadsworth
Gronna	Lenroot	Simmons	Warren
Harris	Lodge	Smith, Ariz.	Wolcott

Mr. SWANSON. My colleague [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Colorado.

The amendment was rejected.

Mr. McCUMBER. I should like to ask if any other Senator wishes to speak on the pending bill at this time? One of the

Senators has notified me that he desires to speak on the bill in the morning for a brief period, and if no other Senator wishes to speak on it this afternoon I will ask that the bill may go over until to-morrow, when I will call it up at the close of the morning business. In the meantime, the Senator from Washington can call up the river and harbor bill at this time.

The VICE PRESIDENT. Without objection, the pending bill, which has been under consideration, will be passed over.

Mr. McCUMBER. I suggest the absence of a quorum, unless the Chair holds that the presence of a quorum has already been determined.

The VICE PRESIDENT. The Chair is inclined to rule that within two minutes of the appearance of a quorum it is not in order to call the roll for a quorum, but after the lapse of any reasonable time the Chair holds it might be called.

Mr. McCUMBER. I withdraw the suggestion.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CURTIS. I move that the Senate proceed to the consideration of the river and harbor appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WOLCOTT. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 4, after line 21, it is proposed to insert:

St. Jones River, Del.: The provisos attached to the items making appropriation for the improvement of St. Jones River, Del., in the river and harbor acts of June 23, 1910, and February 27, 1911, are hereby modified to read as follows: "Provided, That no part of said amount shall be expended for the excavation of any cut-off until a satisfactory title to the land required for that cut-off shall have been transferred to the United States, free of cost."

Mr. KING. Mr. President, my recollection is that the Senator from Delaware was to have a conference with the senior Senator from Utah [Mr. SMOOT] with respect to the amendment. I should like to ask whether the matter of difference between the Senator from Delaware and the senior Senator from Utah [Mr. SMOOT] has been adjusted so that the amendment may be disposed of?

Mr. WOLCOTT. Mr. President, I have nothing to say on the amendment. I regret that the senior Senator from Utah is not present at this moment. I conversed with him for a little time this morning, and he said to me that he was obliged to leave to keep an engagement. I said I would see him later and discuss the question further, but he replied that in case I should not do so, he would make no objection, or something to that effect. So that I am quite sure, from the way he talked, that the senior Senator from Utah no longer has any objection to the amendment, although I wish he were here that he might state his position for himself.

Mr. KING. Let me suggest to the Senator that we take a vote on the amendment, and if upon the return to the Chamber of the senior Senator from Utah he desires to reconsider the action taken, a motion to reconsider may be accepted as a matter of course.

Mr. WOLCOTT. That is entirely agreeable to me.

Mr. JONES of Washington. I think there will be no trouble about that.

Mr. WOLCOTT. I ask that the question be put.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The question is on the amendment offered by the Senator from Delaware.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I offer an amendment to be known as section 6.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. It is proposed to add to the bill a new section, as follows:

SEC. 6. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however*, That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

Mr. JONES of Washington. Mr. President, this amendment was put on the river and harbor bill some years ago at the request of the Senator from Mississippi [Mr. WILLIAMS]. I think myself it is a very serious matter, and I am not willing to accept it. I am willing to have the Senator from Mississippi present the facts with reference to it, and let the Senate pass upon it.

I will say that so far as I have been able to look up the matter, it involves the adjudication of claims for lands which the engineers recommend should be taken in connection with the Mississippi River levee improvement, and so forth, that in 1912 I think it was estimated would cost something over \$6,000,000. How much the cost will be at this time I do not know.

I am willing to have the Senator present the matter to the Senate, but I do not feel that I can accept the amendment.

Mr. HARRISON. Mr. President, this is an amendment, known as the Williams amendment, that was adopted by the Senate during the consideration of the river and harbor bill last year, and I am requested by my colleague to offer it in his absence.

Some years ago levees were constructed on the western side of the Mississippi River. On the eastern side there was a ridge practically in the form of a levee that protected the people behind that ridge; but along the route of the ridge on the eastern bank of the Mississippi there were openings where people had long lived and cultivated their crops. When the levee on the western side of the river was constructed, it threw the waters in times of overflow and high waters on the eastern side through these openings in this natural ridge and destroyed the property of these people.

It does not amount to a great deal, and so back some years ago, I think in 1912, this whole matter was referred by an act of Congress to the Army Board of Engineers to make an investigation, with their recommendations as to the damage and what Congress should do, and in their report they made their findings, with the suggestion that the matter go to the Court of Claims, and so forth. Therefore I have offered this amendment, which merely allows these people who have been damaged through the building of this levee on the western bank of the Mississippi River a day in court, so that they might file their claims with the Court of Claims and let the matter be heard there.

It seems to me that it is a very just matter. No opposition has been raised in the Senate before, I think, and I hope the amendment will be adopted.

Mr. LENROOT. Mr. President, as I recollect, this amendment was adopted at one time by the Senate, but was never recommended by the Commerce Committee. I do not think it was ever considered by the Commerce Committee. As I recollect, it was put upon the bill as an amendment very late one evening upon the floor. If I am wrong about that, I should be very glad to be corrected; but certainly a matter of this importance, involving several million dollars, particularly in view of the present condition of the Treasury, ought not to be put on this bill in this way. At least, the Committee on Commerce should fully consider it; and it was never even presented, I think, to the committee in connection with this bill.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. KING. I ask purely for information. Is there anything in the record that would imply either a legal or a moral obligation on the part of the Government?

Mr. LENROOT. Absolutely nothing that I know of. It is merely a recommendation, as I understand, upon the part of the engineers, that this property be acquired. Congress is under no obligation, as I understand, to acquire the property.

Mr. KING. Are there any paramount utilitarian reasons that would warrant the acquisition of these lands by the Government?

Mr. LENROOT. None that I am aware of; but I will say to the Senator that I am not aware that any committee of Congress has ever investigated the merits of this question.

Mr. HARRISON. Mr. President, here is the act of Congress which authorized this investigation. I find it in House Document No. 1010, Sixty-second Congress, third session:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, November 30, 1912.

From: The Chief of Engineers.
To: The Secretary of War.
Subject: Mississippi River east bank surveys.

1. There is submitted herewith, for transmission to Congress, report dated October 26, 1912, by the Mississippi River Commission, made in pursuance of the following provision in the river and harbor act approved July 25, 1912:

"The Mississippi River Commission is hereby authorized and directed to make an examination and survey of all the lands, subject to overflow from the Mississippi River, situate on the east bank of the river between Brunswick, Warren County, Miss., and Baton Rouge, La., and between

Bessie, Lake County, Tenn., and Memphis, Tenn., for the purpose of ascertaining the location, quantity, character, and value of such lands, and for the purpose of ascertaining what portions of such lands, if any, it would be advisable to protect from overflow by levee construction, and the cost of such construction, and for the purpose of ascertaining the cost of acquiring such portions of said lands as it would not be advisable to protect from overflow by levee protection. The commission is further directed to prepare topographic maps of the lands so examined and surveyed, and to make its report on such examination and survey, with its recommendation thereon, to the Chief of Engineers before the 1st of November, 1912, and the Chief of Engineers shall transmit the said report to Congress on or before the first Monday of December, 1912. The sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated for the purpose of making and reporting the foregoing prescribed examination and survey."

2. Attention is invited to the provision requiring that this report should be submitted on or before the 1st Monday in December, 1912.

H. TAYLOR,
Lieut. Col., Corps of Engineers,
Acting Chief of Engineers.

Then the report follows.

Mr. LENROOT. Mr. President—

Mr. HARRISON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I wish to say that I did not mean to be understood as saying that Congress had never authorized the investigation.

Mr. HARRISON. I understand.

Mr. LENROOT. But that, so far as I was aware, no committee of Congress has ever acted upon that matter.

Mr. HARRISON. I think the Senator is right in saying that the committee had not acted on it. This matter was brought up during the consideration of the bill last time, as I stated, by my colleague [Mr. WILLIAMS], and there was some discussion at that time about it. He explained it briefly, as I have tried to explain it at this time. Although he had introduced his bill, and it was pending before the Commerce Committee of the Senate, I do not think they had had a hearing on the proposition.

These lands that are in dispute were overflowed by the Mississippi River, not at the instance of these individual owners at all. They had acquired them. They had lived there peacefully for years. They had not been overflowed by the Mississippi River. They could cultivate their crops, their children could go to school, they could have their schools and their churches there. They were not affected in the slightest by the overflow; but when it became necessary for the levee on the western bank to be constructed, naturally that raised the water and threw it back on these people.

It is not a large amount, and it would seem to me that since this happened away back yonder—this report has been filed since 1912—they should be permitted at least to go into the Court of Claims and present the matter, and let the court pass upon it. That is all that my amendment proposes.

Mr. JONES of Washington. Mr. President, this amendment apparently commits the Government to the payment of any judgment that the court may find. It says:

The owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor.

There does not seem to be any question left for the court to determine as to the liability of the United States, but simply the question of ascertaining the amount of damage, and rendering judgment therefor. It does not seem to me, even if Congress should do anything with reference to this matter, that we should pass a provision of that character. It does seem to me that there ought to be some determination as to the liability of the United States for this damage.

I have not had an opportunity to look over this report. I find, however, that it closes in this way:

In view of recent sales of lands in the basins, and prices that have been quoted from time to time, it is the opinion of the commission that an estimated value of \$10 per acre may be regarded as the average price at which the lands whose protection is impracticable can be acquired. The total cost of such acquisition on that basis would amount to \$6,226,210.

In other words, there seem to be about 622,000 acres of land involved, whose value was estimated in 1912 at \$10 an acre. We have no idea as to what it is estimated at now. It might be \$20 or \$30 an acre, so that the claim might amount to thirteen or eighteen or twenty million dollars. This seems to be for lands that can not be protected from overflow by reason of the erection of levees. These levees on the Mississippi River are constructed primarily for the purpose of protecting the lands from overflow. In other words, they are constructed primarily for the especial benefit of the people whose lands are adjacent to the river. Of course, navigation is important. My recollection is that where the Government has appropriated \$1, the people there have been required to put up, I think, \$2, showing that the main thing to be accomplished by these levees—I think

that is plain to everybody—is the protection of the lands from overflow.

It appears that here are some lands that can not be protected locally from overflow, and therefore, in the construction of these levees, the water is backed up over these lands. It seems to me that the Government ought not to have to stand all of the damage. The Government ought not to be liable for all of the damages, if damages are to be paid for. This damage should be taken care of, it strikes me, in proportion, at any rate, to the interests that are benefited by the construction of the levees. That is a matter that ought to be gone into, I think, very carefully before Congress passes a provision under which a court is to fix the judgment that is to bind the Government.

As the Senator from Wisconsin has suggested, this matter has not been considered by the committee. It was not presented to the committee, at any rate at this time, and I think it would be very unwise to force the provision on the bill, especially in the form in which it is now proposed.

Mr. HARRISON. If the Senator will permit me, he understands that the levees, when constructed, are not constructed at the instance of people who have been damaged, because these people were in Mississippi, and the levees were constructed in Louisiana, on the western side of the river.

Mr. JONES of Washington. That is probably true; but there ought to be some way by which the interests which were really protected by the construction of the levees should be responsible for a part of the damage. It does not seem to me that the United States ought to bear all of it, if it bears any part of it.

Mr. HARRISON. If this whole matter is referred to the Court of Claims, the Court of Claims will consider all those propositions, and any damage which the United States might be held liable for.

Mr. JONES of Washington. I think not; under the Senator's amendment, anyhow. The amendment reads:

That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor.

The only question to be submitted to the court is the value of the land.

Mr. HARRISON. These people have been held out of the money a long time. I do not know how they will ever get their money unless we can legislate in some way regarding the matter.

Mr. JONES of Washington. I do not know that anybody is to blame for not having the matter brought to the attention of the committee and giving the committee an opportunity to investigate it and get all of the facts, and see what form a provision should take, if it was deemed wise to have a provision inserted. But the matter was not called to the attention of the committee, and the committee has not given it any consideration at all, at least at this session.

Mr. HARRISON. I do not think the Commerce Committee had any hearings.

Mr. JONES of Washington. The Commerce Committee had no hearings with reference to the river and harbor bill, except the engineers.

Mr. HARRISON. I so understood, because there were several matters I wanted to bring to the attention of the committee if it held hearings. I very much hope the amendment will be agreed to, and that it may be allowed to go to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Mississippi.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Jones, Wash.	Nelson	Sterling
Capper	Kellogg	New	Swanson
Chamberlain	Kendrick	Nugent	Thomas
Curtis	Keyes	Overman	Townsend
Dial	King	Ransdell	Trammell
Dillingham	Knox	Reed	Underwood
Gerry	Lenroot	Sheppard	Wadsworth
Gronna	Lodge	Simmons	Watson
Harris	McCumber	Smith, Ariz.	Wolcott
Harrison	McKellar	Smith, S. C.	
Henderson	McNary	Smoot	
Jones, N. Mex.	Moses	Spencer	

Mr. GERRY. I wish to announce that the Senator from Nevada [Mr. PITTMAN] is detained on official business.

The PRESIDING OFFICER. Forty-six Senators have answered to the roll call. There is not a quorum present. The Clerk will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. HALE and Mr. PITTMAN answered to their names when called.

Mr. McCORMICK, Mr. PAGE, Mr. CALDER, Mr. PHELAN, Mr. POMERENE, Mr. SUTHERLAND, and Mr. WARREN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on the amendment offered by the Senator from Mississippi.

Mr. GRONNA. I ask that the amendment be stated.

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. It is proposed to add a new section, as follows:

SEC. 6. That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however,* That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

Mr. HARRISON. Mr. President, I have a modification to suggest, because of the criticism of the Senator from Washington [Mr. JONES]. Has the Senator any objection to letting the amendment go over, in the hope that we may be able to get together on something that will be agreeable to him?

Mr. JONES of Washington. Of course, the Senator can withdraw his amendment, and then offer it later.

Mr. HARRISON. Then I withdraw the amendment for the present.

The PRESIDING OFFICER. The amendment of the Senator from Mississippi is withdrawn. The bill is still in Committee of the Whole and open to further amendment.

Mr. JONES of Washington. There is a committee amendment which has not been acted upon.

Mr. REED. The first committee amendment?

Mr. JONES of Washington. Yes; the committee amendment to strike out "\$12,000,000" and to insert "\$20,000,000." I understood the Senator from Mississippi [Mr. HARRISON] had offered an amendment to raise the amount to \$24,000,000.

Mr. HARRISON. Yes; I have offered an amendment to the committee amendment to raise it to \$24,000,000.

Mr. REED. I wish the Senator would make his amendment to the amendment read \$27,000,000 instead of \$24,000,000. I could offer such an amendment, but under the parliamentary situation the pending amendment is an amendment to an amendment, and I would be barred from the opportunity of offering such an amendment.

Mr. JONES of Washington. I suggest to the Senator that, of course, if the amendment of the Senator from Mississippi is defeated, then he could offer his amendment to the amendment.

Mr. REED. Oh, yes; but after you have defeated a \$24,000,000 amendment there would be a good chance to pass a \$27,000,000 amendment.

Mr. JONES of Washington. I just wanted to suggest that that course is possible.

Mr. REED. Will the Senator from Mississippi be willing to withdraw his amendment to the amendment?

Mr. HARRISON. It is perfectly agreeable to me, because of the parliamentary status, to withdraw my amendment.

Mr. REED. I thank the Senator from Mississippi, and I am much obliged to the chairman of the committee. I move to make it "\$27,000,000" instead of "\$24,000,000," as proposed by the Senator from Mississippi.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

[Mr. REED addressed the Senate. See Appendix.]

On the conclusion of his speech,

Mr. REED said: Mr. President, I decline, of course, to go on under these circumstances. There are actually in the Chamber

now five Senators. One of them is the chairman of the committee. Another is my colleague [Mr. SPENCER], and I know how he is going to vote. I refuse to be the chief actor in the prolongation of this particular farce, and I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on the motion of the Senator from Missouri that the Senate adjourn.

On a division, the Senate refused to adjourn.

Mr. POMERENE. Mr. President, I will ask the Senator from Missouri whether he is going to proceed further to-night?

Mr. REED. Why, certainly I am not going to proceed further in the absence of the Senate. I do not think the chairman of the committee or anyone else has any right to ask the Senate to proceed under these circumstances. If the chairman is going to go on with this bill, he ought to get a quorum here, or he ought to allow us to adjourn.

Mr. POMERENE. Mr. President, I desire to say that I am not any more enamored of talking to empty benches on a proposition of this kind than is the Senator from Missouri. There are a few facts that I had intended to call to the attention of the Senate, but I would rather undertake to persuade Senators to my way of belief than empty seats. I had some experience along this line several weeks ago, when a bill was before the Senate which provided for the inauguration of a plan involving an expenditure of over a billion and a half of dollars. I do not like it myself.

Mr. JONES of Washington. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Washington?

Mr. POMERENE. Yes; I yield.

Mr. JONES of Washington. The Senator likes it just as much as I do.

Mr. POMERENE. I am not complaining of the Senator from Washington, because he is one of the Senators who conceives it to be his duty to stay on the job.

Mr. JONES of Washington. If there is any way by which we can get Senators here, I am perfectly willing to adopt it; and if the Senator will just make the suggestion we will do our best to get them here.

Mr. POMERENE. I have been informed that there is a greater attraction elsewhere this afternoon.

Mr. JONES of Washington. I am perfectly willing to have the Sergeant at Arms go to that attraction and bring the Senators here.

The PRESIDING OFFICER. Does the Senator make that as a motion?

Mr. JONES of Washington. No. If Senators desire to have a quorum here, it can be procured.

Mr. POMERENE. I think under the circumstances I shall renew my motion to adjourn.

The PRESIDING OFFICER. The Senator from Ohio moves that the Senate adjourn.

On a division, the Senate refused to adjourn.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Missouri suggests the absence of a quorum, and the Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Nelson	Spencer
Bal	Kellogg	New	Sterling
Brandegge	Kendrick	Overman	Swanson
Calder	Keyes	Page	Thomas
Capper	King	Phelan	Trammell
Chamberlain	Knox	Ransdell	Underwood
Comer	Lenroot	Reed	Warren
Curtis	Lodge	Sheppard	
Dillingham	McCumber	Smith, Ariz.	
Hale	McNary	Smoot	

Mr. UNDERWOOD. I desire to announce that the junior Senator from Mississippi [Mr. HARRISON] is absent on official business.

Mr. SHEPPARD. The Senator from Delaware [Mr. WOLCOTT] is absent on official business.

The PRESIDING OFFICER. Thirty-seven Senators having answered to the roll call, there is not a quorum present. The Secretary will call the roll of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. MOSES, Mr. SIMMONS, and Mr. SMITH of South Carolina entered the Chamber and answered to their names when called.

Mr. KIRBY, Mr. SUTHERLAND, Mr. POMERENE, Mr. GRONNA, and Mr. MYERS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-five Senators only having answered to their names, a quorum of the Senate is not present.

Mr. JONES of Washington. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. WATSON, Mr. McLEAN, Mr. FRELINGHUYSEN, and Mr. WOLCOTT entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I submit the conference report on the legislative, executive, and judicial appropriation bill, which I ask may lie on the table and be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on a certain amendment of the Senate to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Bureau of Efficiency, together with its books, papers, and records, furniture, equipment, and supplies, is hereby transferred to the jurisdiction of Congress; and its officers and employees are transferred in their present status without re-appointment. The Chief of the Bureau of Efficiency shall hereafter be appointed jointly by the President of the Senate and the Speaker of the House of Representatives and may be removed from office by them. All other employees of the bureau, including a disbursing officer for the payment of the salaries and expenses of the bureau, shall be appointed in accordance with the civil-service laws and regulations. The Bureau of Efficiency is authorized to investigate any matters relating to the organization, activities, or methods of business of the several administrative services of the Government whenever directed by either House of Congress or requested by the heads of such services and shall from time to time submit to Congress reports of its investigations with recommendations looking to greater efficiency and economy in the conduct of the public business. It shall make such special investigations and reports as may be required by either House of Congress or by any committee or subcommittee thereof of either House having jurisdiction over appropriations, or expenditures. Administrative officers and employees of the executive departments and other establishments shall furnish authorized representatives of the Bureau of Efficiency with all information that the bureau may require for the performance of its duties, and shall give such representatives access to all records and papers that may be needed for that purpose."

And the Senate agree to the same.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,

Managers on the part of the Senate.

WM. R. WOOD,
EDWARD H. WASON,
T. U. SISSON,

Managers on the part of the House.

Mr. WARREN. I ask the Chair to lay before the Senate the action of the House of Representatives on the conference report on the legislative, executive, and judicial appropriation bill.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Chair lays before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, further insisting upon its disagreement to the amendment of the Senate No. 53, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. Mr. President, I move that the Senate recede from its amendment. There is but one amendment in controversy.

Mr. POMERENE. Let us know what that amendment proposes.

Mr. THOMAS. What is the amendment in controversy?

Mr. WARREN. It is the amendment relating to the Bureau of Efficiency. The House will not join us in caring for that as we wish to now, but expect us, and desire us for that matter, to cover it in some substantial way in the budget bill. The House Members seem to fear that to put it in the appropriation bill might leave us negligent in regard to the budget bill.

Mr. SMITH of South Carolina. What division is that?

Mr. SMOOT. When the legislative appropriation bill was before the Senate I offered an amendment transferring the Bureau of Efficiency to the jurisdiction of Congress, so that Congress could have some agency whereby it could investigate estimates made by the different departments as to whether they were really needed or not. The House objects to this amendment and gives as a reason why that the budget bill is to be acted upon by the Senate in a very few days, and they want this provision or a similar one incorporated in the budget bill and made even stronger than the Senate amendment in the legislative appropriation bill.

I took the position that it was very easy, if such a provision was incorporated in the budget bill, to repeal that part of the appropriation bill transferring the Bureau of Efficiency to the jurisdiction of Congress, but I am quite sure there was a feeling in the House that the budget bill might not pass at this session of Congress, and felt if this amendment was taken out of the legislative appropriation bill it would be an incentive on the part of the Senate to pass the budget bill, including the amendment.

I make that statement with no hesitancy from statements that I have had made to me by Members of the House.

Mr. POMERENE. Mr. President, I very much regret that the Senate conferees have receded from this amendment. I do not know, of course, what influence this action will have upon the House, and I have no observation to make, but the defeat of the amendment will result in preventing some Senators from getting certain information which they may want.

Mr. SMOOT. I want to be perfectly frank and say that every one of the House conferees on the legislative appropriation bill wanted to retain the provision in that bill, but the vote in the House was to the effect that the House desired to have it eliminated.

To the Senator from Ohio I wish to say that the general practice in the past has been that wherever a legislative item is put in an appropriation bill by the Senate and there is a disagreement between the two Houses, and the House, in which the bill originated, positively refuses to agree to the Senate amendment, the Senate generally recedes.

Mr. WARREN. May I say that that is especially the case where it is a matter of distinct legislation? Of course, we had it in conference the second time, and the House in the meantime had voted very largely against it. There is but one way to arrive at the composing of differences on appropriation bills in conference, and that is to follow certain, perhaps unwritten rules, but good rules nevertheless; and those rules are that if the House transgresses in putting in new legislation and we will not submit to it, they must eventually take it out; and, on the other hand, if we add legislation of that kind, under similar circumstances, and the House will not consent, we must take it out in order to arrive at a final conclusion.

Mr. THOMAS. May I ask the Senator from Utah [Mr. SMOOT] if the House voted against the acceptance of the amendment before the conferees had acted, or if they instructed their members of the conference committee not to agree to the amendment?

Mr. SMOOT. The House members of the conference were virtually instructed not to agree to amendment No. 53 before a conference was held. Following that there was a vote taken upon it by the House, and it disagreed to the amendment and sent the conference report back for a further conference. A further conference was held, and at that conference the conferees on the part of the House reported back to the House the same provision, modified along the lines suggested by the Secretary of War, making but few changes in the wording of the provision agreed to by the Senate, and that was taken back to the House and the House disagreed to it.

Mr. THOMAS. It is a fact, is it not, that the budget bill, so called, has not yet been reported and placed on the calendar?

Mr. SMOOT. It is on the calendar now.

Mr. THOMAS. Is it also on the calendar of bills reported to the House?

Mr. SMOOT. It has passed the House.

Mr. WARREN. It passed the House some 10 days ago.

Mr. SMOOT. The Senate committee struck out all after the enacting clause and inserted a new budget plan. I think we

can accomplish the same purpose by adding this provision to the budget bill.

I want to say frankly that my whole object in offering the amendment to the legislative appropriation bill was to save the Government of the United States not a million dollars, not \$50,000,000, but hundreds of millions of dollars within the next few years. The fact is that estimates are made up by the departments of the Government and Congress is asked to appropriate money based upon those estimates, and when the Appropriation Committees of the House and Senate ask for any information as to why such estimates should be appropriated for, the same men who make up the estimates come before the committees and give them the only information obtainable.

Everybody knows that the members of the Appropriations Committee can not go into an investigation of all estimates submitted. The object of the provision in the legislative appropriation bill was to transfer the Bureau of Efficiency to the control of Congress, and let it direct the Bureau of Efficiency to make investigations as to whether the estimates for appropriations were too high. That was the object of the legislation. I am told by Members of the House that they are in favor of the plan, but thought if we included it in the legislative appropriation bill and then put a similar provision in the budget bill, it would appear like we were acting on legislation one day and repealing it the next day.

Mr. SMITH of South Carolina. If the Senator will permit me, I should like to ask if it is intended that the different departments are to report to the Efficiency Bureau, and they are to make an investigation?

Mr. SMOOT. No; the Efficiency Bureau has nothing whatever to do with any investigation unless the Committee on Appropriations of the House or the Senate ask them to make investigation.

Mr. SMITH of South Carolina. Whenever the estimates are sent in from the department and there is any question, they are referred to the Bureau of Efficiency?

Mr. SMOOT. We ask the Bureau of Efficiency to make an investigation and report to Congress. They are responsible to Congress, and they are to report to Congress. Nobody can remove them unless they are removed by the President of the Senate and the Speaker of the House.

Mr. SMITH of South Carolina. Do I understand that the Bureau of Efficiency, during the session of Congress and during a recess, familiarize themselves with the workings of the different departments?

Mr. SMOOT. If the Congress directs them to do so. If the Congress of the United States asks them to make an investigation of the duplication of work in the different departments of the Government, they make that investigation and report to Congress.

Mr. SMITH of South Carolina. That is one of the objects I had in view, because there has been so much complaint of duplication of work, and there is doubtless a very wasteful duplication in the different departments. I was wondering if the Bureau of Efficiency would have jurisdiction over that question or, at least, a recommending power as to how we might iron out those difficulties.

Mr. SMOOT. The Congress had jurisdiction, and has it now, but they would use the agency of the Efficiency Board to get the information. That is all that was contemplated by the amendment.

Mr. KING. I would like to ask my colleague if he intends to support the motion to recede? So far as I am concerned, I think if the provision is so meritorious we ought not to recede.

Mr. SMOOT. I will say to my colleague that under the circumstances I think it is best to recede. I have not, and I do not think any Senator has, any pride in how the legislation is secured. If the House wants it upon the budget bill, well and good; let it go there.

Mr. OVERMAN. The House defeated it twice. Why send it back again? They will defeat it the third time. If we can put it on the budget bill, we can possibly get it through.

Mr. SMOOT. Yes; and we have to have this appropriation bill.

Mr. OVERMAN. Certainly.

Mr. WARREN. Mr. President, may I give in a few words the history of this matter, which was put in with, I think, the unanimous desire of the committee on the part of the Senate? The House rule is different from ours. In order to have a bill go to conference it has to be taken from the table by unanimous consent, and when that was asked for, in this case, some Members of the House expressed a desire that it might not be agreed to until it was brought back to the House for further examination and information. The House committee therefore felt

bound to take it back. They were not instructed, as they sometimes are regarding an item, to repudiate it entirely. But they were instructed to bring it back.

As my colleague on the committee has said, the conferees on the other side were willing, with the amendments that were offered and agreed to, to stand by it. I do not think the matter of the budget bill was discussed very much on the floor, but it had been discussed in committee and had been talked about in the lobbies, and the conferees who worked with us were full of the idea.

Mr. SMOOT. It was referred to on the floor also.

Mr. WARREN. Yes; to some extent.

My idea, from what I have seen, from what I have read of the discussion on the floor, which was not so very extensive, and from the spirit of these men—and I have talked also to the chairman of the House committee, who was not a member of the conference—is that they agree that something ought to be done; and, in case of the failure of the passage of a budget bill, which they do not contemplate, or if the matter is not cared for in such a measure, I believe it can be provided for at some later time. However, now does not appear to be the appropriate time to press this matter further; in fact, it would avail us nothing to do so. Therefore I ask that the Senate recede from the amendment.

Mr. KING. Mr. President, it is to be regretted that no legislation will be enacted during the present session of Congress to promote efficiency and economy in the executive branches of the Government. It has been obvious for a long time to those who are familiar with executive departments, bureaus, and agencies of the Government that radical changes and important reforms were imperatively needed. The departments as a rule are operating under laws enacted years ago. Changed conditions have not brought modifications and changes in the statutes and regulations controlling executive officials. There should be a complete overhauling of the executive departments of the Government. There should be numerous transfers of bureaus and executive activities from the departments now controlling them to other departments. Under some departments there are executive agencies whose duties are entirely inconsistent with the purpose of the department which controls them. Duplication of work is found in every executive department of the Government. Inefficiency, waste, and extravagance have characterized the executive departments for 50 years. Needed reforms, reforms recognized as desirable, have not been made. Within some of the departments there are reactionary forces and elements which oppose efficiency and progress. There is a devotion by many of the employees of the Government to obsolete, defective, and absurd regulations and policies for which no defense can be offered.

I have given some little attention to the work of the executive departments of the Government and have conferred with hundreds of the employees therein. A great many splendid and progressive men and women holding positions in the departments have voluntarily come to see me and to protest against the extravagance and waste and inefficiency and duplication which are found within these departments. I know of bright young men and women who have severed their relations with the Government service because of the improper administrative methods and the fact that for weeks and months they had but little to do. My attention has been repeatedly called to the jealousies and contentions upon the part of the officials within departments and the disinclination of heads of bureaus and executive branches to work economies and bring about proper and legitimate and authorized reforms. It is a matter of common knowledge that there has been a determination upon the part of many holding positions of trust and responsibility in the departments to keep as many employees as possible. The war more than doubled the number of Federal employees within the District and it materially increased the number of employees of the Government in all parts of the country. It was understood that thousands and tens of thousands of employees should be separated from the service when the war ended, because there would be no necessity of longer retaining them. But months have gone by and there are still thousands of employees retained in the Government service who should have been released and returned to their homes long ago. There are within the Government service thousands of the finest men and women that can be found in our country. They deplore the duplication of work, the incompetency of officials and employees, the waste and extravagance and inefficiency. They have pride in their work and are ambitious to effectuate reforms and are sincerely desirous of faithfully serving their country.

Many of this class have conferred with me and have detailed numerous instances of the indefensible methods employed and policies adhered to in executive branches of the Government.

The civil-service law and its administration have proven a shield and protection to inefficient and defectives and to the unambitious and those who were satisfied if they only could hold their positions. I have conferred with a number of men and women employed in the departments who have declared that when they sought to perform an honest day's work they would be remonstrated with by employees and urged to slacken their efforts because if they carried out their purposes and did their full duty it would result in the dismissal from the service of unnecessary employees. Other employees have protested because promotions too often were the result of long years of service rather than efficiency. Many Senators and Representatives during the past few years have denounced the conditions existing in the executive departments of the Government and have insisted that administrative reforms should be initiated, consolidations of agencies and bureaus brought about, and needed changes for the good of the service and the welfare of the people made. But Congress only has debated and criticized, and has failed to enact needed legislation.

Some time ago a bill was introduced having for its object the promotion of efficiency in executive departments, bureaus, boards, commissions, and agencies of the Federal Government. This bill was denounced by some employees and their agents. There is no question but what there are some who hold positions in the Government who are opposed to reform, to efficiency, and to economies. The bill to which I have just referred provided that the chief of the bureau should be appointed by the Speaker of the House of Representatives, and that it should be the duty of the bureau over which the chief presided, in addition to the various duties imposed by law to "conduct a thorough and detailed examination of the personnel requirements of the various departments and department offices, to ascertain whether and to what extent any such department or department office has too large or too small a number of employees to enable it to perform its duties properly, and to determine what employees, if any, are so unfit or inefficient as to warrant their discharge or transfer to other duties."

It is not my purpose to discuss the bill or its provisions. The amendment which was offered to the measure now before us and which the conference committee has not accepted, was calculated, in my opinion, to promote efficiency, and it is to be regretted that the amendment or some other adequate provision was not accepted by the conferees. As I understand, the contention is that the Budget Committee, which is now considering important legislation, will deal with this subject.

Mr. President, members of the Appropriations Committee of the Senate as well as other Senators have repeatedly stated that there are thousands of Federal employees within the District of Columbia who should be separated from the service. I do not understand why, in view of the position of Senators, that they should continue to make appropriations providing for these unnecessary employees.

Mr. WARREN. Mr. President, the Senator from Utah [Mr. KING] was not present, I think, when the legislative bill was under consideration. That bill provides for many less clerks than have hitherto been provided for; in fact, it made a greater reduction than was ever known in a similar bill. We are moving in that direction. Of course, this bill does not do away with the work of the Bureau of Efficiency. The proposal was to place that bureau entirely in the hands of Congress.

Mr. KING. Mr. President, I appreciate the statement made by the Senator from Wyoming, and understand the matter in controversy. I submit most respectfully, however, that efficiency and economy will be promoted if legislation shall be enacted creating a bureau, board, or commission responsible to the legislative branch of the Government. The present Bureau of Efficiency is hampered and has been obstructed in some instances in its efforts. It is an executive agency, not a legislative one. It is inferior in power and strength and in the number of its employees to the departments and to many of the bureaus and executive agencies of the Government. Some bureau chiefs and other employees of the Government resent any investigation as to their work by this or other executive agencies. There should not be, however, any such mental attitude upon the part of executive boards or agencies. There should be a hearty cooperation in promoting the public welfare and in securing reforms and the highest degree of efficiency and economy.

Unfortunately there has grown up a spirit in some branches of executive departments that is intolerant of any control or direction by the legislative branch of the Government. It is the history of all executive departments of all governments that they tend to crystallization, to bureaucratic and autocratic methods, to stagnation, and dead and destructive monotony. Senators and Congressmen are almost daily confronted with evidences of departmental tyranny. Bureaus and executive

agencies become static and immobile. They resist progressive measures and rational and needed reforms. There is a tendency to increase authority and to extend their powers and jurisdiction even to the extent of violating law and encroaching upon other branches of the Government. There are many executive officials who will resent any control by Congress of executive departments. They want to enact the laws, fix their own compensation, and determine their authority, jurisdiction, and power. Organized for a particular purpose, some executive agencies seek to expand and to usurp authority and power. It is not a question of partisanship that determines the conduct of those pursuing the course suggested. The party affiliations of employees, generally speaking, do not bring diversity of views in respect to authority and power and importance of executive officials and Federal executive agencies.

Mr. President, let me say in passing that in most countries of the world to-day the legislative branches of the government are the ones which speak the voice of the people. As liberalism and democracy spread throughout the world and legislative power is enlarged the executive authority is diminished. But it seems that in this Republic the executive agencies of the Government are assuming larger powers, usurping authority, encroaching upon the legislative branch of the Government, and attempting to establish a tyrannous and deadly bureaucracy and a dangerous and destructive paternalism. In Great Britain the executive power is shrinking and the authority of the House of Commons is increasing. As the people speak so Parliament acts, and its decrees bind the nation. Here executive departments and agencies seek to dominate Congress, dictate legislation, and control the functions and policies of the Republic. With the most brazen effrontery executive officers carry on extensive propaganda throughout the United States in the interests of legislation or policies which they think will promote their interests or aggrandize their organization.

Mr. President, I would condemn in my own party as I would in the Republican Party executive inefficiency or usurpation upon the part of executive officials. I might add, facetiously, that the Democratic Party knows better and it deserves more severe condemnation than would be bestowed upon the Republican Party. The Democratic Party is professedly the party of economy, the party of progress, of reform, of efficiency in its administrative policies; in a word, the Democratic Party calls for the highest efficiency and an economical administration of all public affairs. I believe, Mr. President, that if a law were passed creating an efficiency and economy bureau responsive to Congress its work would be productive of the highest good and result in an annual saving of tens of millions of dollars to the Government. I sincerely hope that at an early date this important subject will be considered by Congress and that suitable legislation will be enacted that will effectuate administrative reforms and coordinate and integrate Federal agencies of the Government and bring about economies in all branches of the public service.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming that the Senate recede from its amendment numbered 53.

The motion was agreed to.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SWANSON. The river and harbor bill being now under consideration, I desire to offer an amendment to it.

The PRESIDING OFFICER. The Chair will state that there is an amendment now pending.

Mr. SWANSON. Then I will ask that amendment may be considered after the pending amendment is disposed of.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The READING CLERK. In the committee amendment, on page 1, line 3, it is proposed to strike out "\$20,000,000" and insert "\$27,000,000."

Mr. KING. I rise to inquire is that the total, or is it proposed to add another section to the bill carrying the amount indicated.

The PRESIDING OFFICER. The total amount carried by the bill, the Chair is advised, is \$20,000,000. The amendment to the amendment proposes to increase the total to the amount stated by the Secretary.

Mr. SMOOT. The committee amendment has not been acted upon by the Senate?

The PRESIDING OFFICER. No. The pending question is on agreeing to the amendment to the committee amendment.

Mr. KING. I suggest that it might be wise to defer voting on the total until we have passed upon all the amendments.

Mr. REED. As I understand, all the amendments have been passed upon.

Mr. KING. I understand the Senator from Virginia desires to offer an amendment.

Mr. LODGE. Mr. President, I ask unanimous consent to be present at this time an amendment providing for a survey.

The PRESIDING OFFICER. The Senator from Massachusetts presents an amendment, which will lie on the table.

Mr. LODGE. It simply provides for a survey, and I ask unanimous consent that the amendment be considered now.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the amendment presented by him be now considered. Is there objection? The Chair hears none. The Secretary will state the amendment.

The READING CLERK. On page 4, after line 1, it is proposed to insert:

Boston Harbor, Mass.: South Bay from point of Fort Point Channel, Federal Street Bridge, to Massachusetts Avenue.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. SWANSON. I ask unanimous consent for the consideration of the amendment which I send to the desk. It merely provides for the survey.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent for the present consideration of an amendment similar in character to that just agreed to. Is there any objection?

Mr. POMERENE. I will reserve an objection until I hear what the amendment is.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The SECRETARY. On page 5, between lines 22 and 23, it is proposed to insert "Warwick River, Va."

Mr. POMERENE. I object to that.

Mr. SWANSON. It merely provides for a survey.

Mr. POMERENE. I understand it merely provides for a survey, but there is a survey item on page 5, above where it is proposed that the amendment just offered shall come in, the action on which I desire to have reconsidered before we get through with this matter. I do not know anything about this proposition, but while I am on the subject I may say—

Mr. SMOOT. The river for which the Senator from Virginia desires a survey was discovered last week, was it not?

Mr. SWANSON. It is as important as any. Is the Senator from Ohio going to object to all survey items?

Mr. POMERENE. No, sir; but I am going to object to the one I have indicated until I know something more about it. I desire to make an observation in regard to one which was provided for here the other day, and I might just as well do so now. On page 5 there appears this amendment, proposed by the committee:

Northwest River, Va.-N. C.: With a view to securing a channel 6½ feet deep at mean low water, and 50 feet wide on the bottom on the bar at the mouth and over the shoal 2 miles above the mouth.

Do I understand that that amendment has been adopted?

Mr. JONES of Washington. It has been adopted.

Mr. POMERENE. I ask unanimous consent that the vote whereby the amendment was agreed to may be reconsidered.

Mr. SWANSON. I object.

Mr. SMOOT. I will suggest to the Senator from Ohio that when the bill gets into the Senate we can at least have a vote upon it.

Mr. POMERENE. There is a pending amendment, and, therefore, the motion to reconsider would probably not now be in order. I am going to ask, however, although I am afraid I may not be here, because of an engagement I have elsewhere, to reserve a vote upon this amendment in the Senate. Personally I have no information about this matter, but I have some information which I believe to be thoroughly reliable, and I think it is proper that I bring it to the attention of the Senate at the present time, so that if I am misinformed about it those who are interested will have a right to present that evidence to the Senate.

This on its face appears to be a survey for a navigable stream. My information about it is that it is not a navigable stream; that it never can be made a navigable stream; and that the project is one of private interest alone. If I am misinformed about that, those who were instrumental in having it brought here will have an opportunity to correct me; and I want to ask the Senator from Washington, at whose instance it was presented.

Mr. JONES of Washington. Mr. President—

Mr. SWANSON. Mr. President, I introduced the amendment, and I should like the Senator to furnish me the information to which he has referred, so that I can send it to the people at home in order that they may reply to it.

Mr. POMERENE. I am just about to do that, and I want to say in advance that I acquit the Senator from Virginia of having any improper purpose in mind when this amendment was presented; but if my information is correct he has been grossly deceived.

The other day a gentleman came to my office and asked to see me. I had met him once before. He is a business man. His name is Mr. John Seip, of Chillicothe, Ohio. He brought to me a map of conditions in Virginia in this locality, and this particular amendment relates to a tract of swamp land containing 25,000 acres. Mr. John Seip some years ago had a part interest in it. It is now owned in part, if not entirely owned, by a gentleman from Camden, N. J. The fall of this little streamlet—it is not a river—is such that it would be absolutely impossible to make it navigable by an ordinary scow. Mr. John Seip tells me that he has no interest whatsoever in this land. He owns to the south of it, and some distance from it, 10,000 acres of similar swamp land. He bought it as an investment. He is draining it, improving it, and selling it out as a private enterprise; but it is no more a private enterprise than is the 25,000-acre tract owned by this New Jersey gentleman.

I asked Mr. Seip if he would be willing to put in writing the facts as he presented them to me. He said he would, and I have his written statement here, signed by himself. He tells me that he has no interest whatsoever in this legislation, save and except such as any other public-spirited citizen would have. And now, for the information of the Senate, I send this statement to the desk and ask that it may be read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The reading clerk read as follows:

Mr. John Seip, of Chillicothe, Ohio, made the following statement: The item on page 5 of H. R. 11892, Report No. 513, with reference to the dredging of Northwest River, in Virginia and North Carolina, to make a channel 6½ feet deep, 50-foot bottom, is intended altogether for the drainage of Pleasant Grove district in Norfolk County, Va., which is a private enterprise, and should be paid by private capital instead of at public expense.

The land in that district is a very rich black loam, and without drainage has no value, in fact, it is a liability as it lies. With the dredging out of Northwest River this land becomes exceedingly valuable for agricultural purposes.

The writer has no interest whatever in any land in that district, in fact, has no interest in any land in Virginia, but formerly owned a half interest in that portion of the land represented on the map as being owned by the Norva Land & Lumber Co. That land is now in the name of the Norfolk Farms Co., and is owned and controlled by David Baird, of Camden, N. J.

The river has no uses for navigation purposes; in fact, never has had and never can have. The river for the first 9 miles, running from west to east, has a fall too great ever to be used for navigation purposes.

Other property in that vicinity is being developed on a large scale at private expense, and all land embraced in the Pleasant Grove drainage district, amounting to about 25,000 acres, will be benefited by the dredging of the Northwest River and should be paid by the owners thereof.

JOHN SEIP.

APRIL 21, 1920.

Mr. POMERENE. Mr. President, this Northwest River, as I am informed, enters Tull Bay. It is due to those who are interested either to disprove these statements or to bring to the Senate such information as will justify this enterprise at public expense.

I want to repeat, I am satisfied that the Senator from Virginia knew nothing about these facts, if they are facts, and I believe them to be facts.

I think that is all I care to say on that subject at the present time.

Mr. SWANSON. Mr. President, I am not acquainted with this river. I ask the privilege of putting in the RECORD all the correspondence I had in connection with this matter.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

HICKORY, NORFOLK COUNTY, VA., March 26, 1920.

At a mass meeting held at Stewart's store, near Benefit, Norfolk County, at 10 a. m., March 26, 1920, the following resolution was unanimously adopted:

"Resolved, That the Hon. CLAUDE A. SWANSON, United States Senator from Virginia, is hereby requested to introduce an amendment to the rivers and harbors bill, if it is not too late, in effect as follows:

"SURVEY.

"Northwest River, Va.-N. C. From its mouth to as far upstream as the Norfolk Southern Railway bridge, so as to admit boats drawing 6½ feet of water and a width of not less than 45 feet.

"Resolved further, That Senators SIMMONS and OVERMAN of North Carolina be also requested to the same effect, and also that Hon. E. E. HOLLAND and JOHN H. SMALL be requested to look out for the matter in the House."

A. O. LYNCH, Secretary.

JNO. P. WALLACE, Jr., Chairman.

PORTSMOUTH, VA., March 26, 1920.

HON. CLAUDE A. SWANSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I attended a meeting as noted in the attached paper to-day and I was requested to forward it to you.

You will find that Senator Martin had an amendment passed as to the Northwest River survey in Sixty-fifth Congress, first session, and also at second session, as to this stream a considerable distance up toward its source, but it was only recommended for approval as far upstream as the Norfolk Southern Railway bridge. While there has been two surveys and the Army Engineers' office has the data and could give an estimate of cost, the law requires, I am informed, that another survey will have to be authorized. I have before me House Document No. 198, Sixty-fifth Congress, first session, which will give you all the information desired. Also there is another House document at second session, but I do not remember the number. However, the last report of the engineer was during war times, and the people concerned did not push the matter. But now, if it is not too late, the people in the southern part of Norfolk County would appreciate it if you would make an effort to amend the river and harbor bill. Instead of wording the amendment as stated in the attached resolution, I suggest that it would be better to word it as noted in the recommendation of Col. Jervey, Army Engineer, as follows in substance:

"Northwest River, Va.-N. C. Survey of bar at the mouth and of the shoal 2 miles above its mouth in order to determine the cost of dredging channel 6½ feet deep at mean low water and 50 feet wide on the bottom at these points for navigation," as you will see by his report the removal of the points mentioned will give navigation for 6½ feet to Norfolk Southern bridge.

The mouth of the Northwest River and some distance upstream is in North Carolina, but up in the vicinity of Northwest Railway Station is in Virginia, therefore it is suggested that the Members of the Senate in North Carolina and Mr. SMALL should be interested. Also attention of Mr. HOLLAND is called to this. I think Senator EDGE, if called to his attention, would assist you, as a friend of his—ex-Senator Baird, formerly Senator from New Jersey—owns a considerable acreage of land near this river some distance upstream. Senator Martin, I understand, when he got through the survey before had both of the New Jersey Senators to assist him.

If you will give this matter your attention I will thank you very much.

I am glad to see by the papers that Mrs. Swanson has improved in health.

With best wishes and kindest regards, I am,
Very sincerely, yours,

R. E. B. STEWART.

You will note that Hon. John G. Wallace, Jr., member of house of delegates from Norfolk County, presided at the meeting.

Mr. KING. Mr. President, I rise for information. Is an amendment pending, offered by the Senator from Virginia, to include this item in the bill?

The PRESIDING OFFICER. It is already in the bill.

Mr. POMERENE. It is already in the bill. I have reserved the right to take another vote upon that amendment when the bill comes into the Senate.

Is it the purpose of the Senator in charge of the bill to proceed further to-night? I intended to take up another subject.

Mr. JONES of Washington. I move that the Senate adjourn. The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 23, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 22, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, life of our life, spirit of our spirit, author of all good, our hearts go out in profound sympathy for the stricken people in the cyclone districts. Many are dead. More are injured and maimed for life.

Homes are destroyed. Hearts are broken. Their land is desolate. We thank Thee that loving hearts and helping hands have gone to the rescue. For what hurts one, hurts all; what helps one, helps all, for Thou hast so bound us together in ties of kinship.

Increase our faith and confidence in the overruling of Thy providence for the eternal good of all.

That nothing walks with aimless feet;
That not one life shall be destroyed,
Or cast as rubbish to the void,
When God hath made the pile complete.

In Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

HON. CHAMP CLARK.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an editorial from a New Orleans paper on Hon. CHAMP CLARK.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by printing